



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Thursday 9 March 2023

Office-holders of the Legislative Assembly
60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Bronwyn Halfpenny,
Paul Hamer, Michaela Settle, Meng Heang Tak and Jackson Taylor

Leader of the Parliamentary Labor Party and Premier

Daniel Andrews

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Jacinta Allan

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

Members of the Legislative Assembly
60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren	South Barwon	ALP	O'Keeffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Fowles, Will	Ringwood	ALP	Spence, Ros	Kalkallo	ALP
Fregon, Matt	Ashwood	ALP	Staikos, Nick	Bentleigh	ALP
George, Ella	Lara	ALP	Suleyman, Natalie	St Albans	ALP
Grigorovitch, Luba	Kororoit	ALP	Tak, Meng Heang	Clarinda	ALP
Groth, Sam	Nepean	Lib	Taylor, Jackson	Bayswater	ALP
Guy, Matthew	Bulleen	Lib	Taylor, Nina	Albert Park	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Theophanous, Kat	Northcote	ALP
Hall, Katie	Footscray	ALP	Thomas, Mary-Anne	Macedon	ALP
Hamer, Paul	Box Hill	ALP	Tilley, Bill	Benambra	Lib
Haylett, Martha	Ripon	ALP	Vallence, Bridget	Evelyn	Lib
Hibbins, Sam	Prahran	Greens	Vulin, Emma	Pakenham	ALP
Hilakari, Mathew	Point Cook	ALP	Walsh, Peter	Murray Plains	Nat
Hodgett, David	Croydon	Lib	Walters, Iwan	Greenvale	ALP
Horne, Melissa	Williamstown	ALP	Ward, Vicki	Eltham	ALP
Hutchins, Natalie	Sydenham	ALP	Wells, Kim	Rowville	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Wayne Farnham	Narracan	Lib	Wilson, Jess	Kew	Lib

PARTY ABBREVIATIONS

ALP – Australian Labor Party, Greens – Australian Greens,
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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Thursday 9 March 2023

The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

Documents

Documents

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Auditor-General – Maintaining Railway Assets across Metropolitan Melbourne – Ordered to be published

Crown Land (Reserves) Act 1978 – Order under s 17B granting a licence over Treasury Gardens

Jobs, Precincts and Regions, Department of – Report 2021–22

Parliamentary Committees Act 2003 – Government response to the Public Accounts and Estimates Committee’s Report on the 2022–23 Budget Estimates

Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rules 13, 15.

Committees

Parliamentary committees

References

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (09:33): I move, by leave:

That this house refers:

- (1) an inquiry into the conduct of the 2022 Victorian state election to the Electoral Matters Committee for consideration and report no later than 1 May 2024;
- (2) an inquiry into increasing the number of registered organ and tissue donors to the Legal and Social Issues Standing Committee for consideration and report no later than 31 March 2024;
- (3) an inquiry into changes to road safety behaviours during and post the COVID-19 pandemic and impacts on vulnerable road users to the Economy and Infrastructure Standing Committee for consideration and report no later than 31 March 2024; and
- (4) an inquiry into employers and contractors who refuse to pay their subcontractors for completed works to the Environment and Planning Standing Committee for consideration and report no later than 31 December 2023.

Motion agreed to.

Business of the house

Adjournment

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (09:34): I move:

That the house, at its rising, adjourns until Tuesday 21 March 2023.

Motion agreed to.

Rulings from the Chair

Leave

The SPEAKER (09:35): Yesterday the Deputy Speaker referred to me a point of order raised by the Manager of Opposition Business regarding the handling of a request by a member for leave to

move a motion on the notice paper this morning. As I had already ruled that leave had not been granted, I do not intend to revisit my decision and I therefore rule the point of order out of order.

However, the Deputy Speaker's referral provides me with the opportunity to provide some guidance to the house about leave. Standing order 140(1) states, in part, that 'a member may only move a motion to discuss a subject if he or she has given notice of that motion at a previous sitting of the house'. However, members may seek leave of the house to waive that notice period and debate it immediately or at a time other than the one scheduled. When something is done 'by leave', it is done with the permission of the house. In the Assembly this means it is done without a dissenting voice. In other words, it only takes one member to refuse permission for leave not to be granted.

The former standing orders, drawing on House of Commons practice, defined 'leave' as being 'permission granted without a dissentient voice'. When a motion is moved by leave, the Speaker will inquire of the house 'Is leave granted?' to assess the will of the house before proceeding to the motion proposed. If at least one member answers 'no', leave is refused and the motion cannot be moved. I refer members to May, 25th edition, paragraph 20.8. Regardless of members saying 'yes' or otherwise indicating that leave is granted, any single member saying 'no' before the member proceeds to speak to the motion indicates to the Chair that leave is refused, and the Chair is obliged to announce that to the house.

Members statements

Mount Macedon Golf Club

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (09:36): I rise, in the week in which we celebrate International Women's Day, to acknowledge the wonderful work of the Mount Macedon Golf Club in supporting the participation of women in this great sport. Although golf has been played at Mount Macedon since the early 1920s, it was not until 1965 that a group of dedicated locals joined together to form the first official Mount Macedon Golf Club. The club was an integral part of the local community until the evening of 16 February 1983 when the Ash Wednesday bushfires destroyed the entire course, the clubhouse, machinery and valuable records. True grit and determination came to the fore as club volunteers succeeded in rebuilding the course to be ready for play by the end of December 1984.

In more recent times the club, its leadership and members have worked tirelessly to create and run programs to encourage women to get into golf. The club has promoted local come and try sessions, with around 90 women participating, many of whom have been trying the sport of golf for the first time. Golf clubs and equipment are provided for the women to use, and volunteers have undertaken training to run sessions, coaching women and breaking down barriers to participation. I am delighted to tell the house that last month the Mount Macedon Golf Club was recognised for its work, receiving the 2022 Visionary of the Year Award from Golf Australia. This accolade, announced by Australian golfing superstar Karrie Webb, includes prize money of \$10,000. Congratulations to the Mount Macedon Golf Club.

Croydon electorate festivals

David HODGETT (Croydon) (09:38): Today I rise to express my thanks and appreciation to volunteers and local communities for the tireless hours of work that go into ensuring our local community festivals are delivered successfully. The weekend of 18–19 March is going to be a weekend full of diversity and family fun in the Croydon electorate.

The Celebrate Mooroolbark Festival will kick off the weekend from 10 am on Saturday 18 March and will continue on Sunday 19 March at Hookey Park in Mooroolbark. This year is an especially big year, as they will be celebrating 21 years of this successful local event. The fantastic committee for the Celebrate Mooroolbark Festival come from various backgrounds, ages and experiences, and together they put on two wonderful days full of activities, food, experiences, music and celebration for the local community, visitors and families. I will again be participating in this event and always look

forward to good conversation, friendly faces, great coffee, food and activities, all located in the peaceful surrounds of Hookey Park.

Also on Saturday 18 March the Chin Arts and Multicultural Festival will again be coming to Main Street, Croydon. Running from 12 pm until 7 pm, this community event will be showcasing Chin traditional dance and music, performances, traditional food and crafts, children's face painting and singing, as well as wrestling. Last year's celebrations saw Main Street full of colour and a strong community spirit, and I am sure this year will be successful and vibrant. A big thankyou to the Croydon Main Street group for supporting this multicultural event. I look forward to joining the festivities once I finish up in Mooroolbark. Thank you to all those who bring us together by putting in so much hard work when organising these events so that we can come together and celebrate our diverse community.

Christine Mackaness and Monica Raizada

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (09:40): In recognition of International Women's Day on 8 March, I rise to acknowledge the contribution of two exemplary women in my electorate of Werribee. This year's theme is about embracing equity. Christine Mackaness and Monica Raizada embody this through their support for Wyndham families. Christine is a co-coordinator for Birdcage community store, which helps hundreds of Wyndham residents who are doing it tough every week. The store is based at the Wyndham Park Community Centre, and I have seen firsthand the rewarding work that they do, collecting and sorting donations and preparing packs for needy families. The store assists hundreds every week, and the services are very welcomed by many in Wyndham.

Monica is the president of Women of Wyndham and is an advocate for victim-survivors of family violence. She is very generous in donating her time in helping diverse people network to realise their full potential. The environment Monica creates provides a culturally and gender inclusive, welcoming place. With many multicultural communities settling in Wyndham, we are grateful for her work in this space.

International Women's Day

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (09:41): I thank the Speaker, and the President of the other place, for hosting a lunch in Queen's Hall on International Women's Day, and I look forward to celebrating their contributions. I acknowledge the many women in our Parliament, with 54 per cent of Labor MPs and 64 per cent of ministers who are women – a significant change. Now of course it means my gender is in the minority.

Starlight Super Swim

Jade BENHAM (Mildura) (09:41): Over the past month I have been raising money for the Starlight Foundation whilst swimming in many community pools and bodies of water around my electorate. After 16 pools, three lakes and one school visited and swum in, I completed the Starlight Super Swim last Tuesday with a little help from the prep to grade 2 students at Werrimull P-12 School. Thanks to my cheer squad Poppy, Lily, Delta, Matthew, Shanae, Connor, Hudson and Altonio for such a fun morning, and Mr Chris Harris for facilitating. Werrimull is such a vibrant community at the heart of the Millewa, and it was terrific to spend time at the school chatting, swimming and even improving the water confidence of some.

Timmis Speedway, Mildura

Jade BENHAM (Mildura) (09:42): I also wish to acknowledge the committee and members of Timmis Speedway in Mildura – the efforts and hundreds of thousands of man-hours contributed to a community asset whilst motorsport still fails to get the funding it deserves. During the election campaign the Nationals committed \$675,000 to assisting the members of Timmis Speedway in bringing back their track, which has bred not only champions such as Cam Waters and most recently his brother and newly crowned SA modified sedans champion Jarod Waters, but many other state and

national champions across different classes. Meanwhile in other motorsports Josh Waters just won the MotoGP at Phillip Island and Ross Lamattina has just been crowned the junior dragster Australian champion. Timmis Speedway are in desperate need of a new catch fence and lighting for the safety of competitors, and I meant what I said in my inaugural speech: in Mildura we put champions on racetracks. I urge the government to invest in the sport.

International Women's Day

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:43): I rise to commemorate the women in my electorate of Mill Park for International Women's Day. I was delighted to host a group of young women for yesterday's celebrations in Parliament, and I was proud of the passion and insight they demonstrated through their personal stories. Thank you to the outstanding students and teachers at Al Siraat College, Epping Secondary College, Marymede Catholic College, Mill Park Secondary College and the Lakes South Morang College for joining me for tea.

We discussed this government's unapologetic agenda for gender equality. Whether it is free kinder, women's health investment or our groundbreaking royal commissions into mental health and family violence, the women of my electorate know that this government champions their rights and the fight for gender equality. Thank you to these amazing young women for sharing what is important for them on International Women's Day and their personal experiences with gender equality. We heard that some were passionate about their STEM subjects but were the only girls in their chemistry class, as well as about girls not being treated equally or respected when they were passionate about playing sport, with harmful stereotypes still being perpetuated on the soccer pitch. I was particularly touched by a student who told me that she joined her school's leadership team because she felt different from her peers in the schoolyard. This amazing young woman wanted to make sure that younger women who looked like her would be inspired to be a leader and not feel alone. I am exceptionally proud to be their local member, and I cannot wait to see where these young leaders go. Additionally, I want to thank Jamuna and Jesni from the Whittlesea Malayalee Association for joining me at Parliament's celebration. I thank the Speaker for hosting such a wonderful event.

Sandringham electorate crime

Brad ROWSWELL (Sandringham) (09:44): Over the past few weeks my office and I have received an increase in emails and phone calls and have had conversations with constituents who have personally experienced a home invasion or witnessed a crime take place locally. Locals are contacting me, fearful in their own homes because of residential burglaries, robberies and theft perpetrated by people from outside of my community, according to new data. Victoria Police have confirmed that there has been an increase in aggravated burglaries in my community. I request that the government not continue to ignore this increase in crime in my community, and I implore the Minister for Police to take urgent action to address it.

Sandringham electorate level crossing removals

Brad ROWSWELL (Sandringham) (09:45): Last year the Andrews Labor government announced that they will permanently close the Latrobe Street level crossing in my community, dividing both Cheltenham and Mentone in two. After consulting with the community, I discovered that 96 per cent said that they were not consulted about this closure and over 90 per cent said that they wanted the crossing to remain open. It is clear to me that the crossing should remain open. I have established a petition to Parliament, and I encourage my community to support that petition as well.

Defence industry

Brad ROWSWELL (Sandringham) (09:45): Finally, last Friday I attended the Avalon air show together with my colleagues the Leader of the Opposition and the Shadow Minister for Finance Jess Wilson. It is my strong opinion that Victoria should no longer raise the white flag when it comes to

major defence contracts in this state. It is time for the Victorian government to support an expansion of defence industry activity in our state to support our workers and our manufacturers.

Jenny Smith

Colin BROOKS (Bundoora – Minister for Housing, Minister for Multicultural Affairs) (09:46): I want to recognise the leadership, dedication and integrity of Jenny Smith, who retires tomorrow as CEO of Victoria's Council to Homeless Persons. Jenny's professional life has been dedicated to the health, mental health and community sectors, helping some of the most vulnerable members of our community. The respect and esteem in which Jenny is held across the homelessness and broader community sector is testament to her commitment to improving the lives of people experiencing or at risk of homelessness. She has made an enormous contribution to homelessness policy and practice at a state and national level, championing evidence-based policy and best practice models to support people sleeping rough.

The groundbreaking Housing First response during COVID-19 and the From Homelessness to a Home and Homes for Families programs would not have been possible without the work of people like Jenny. She has also promoted the voices of people with lived experience in developing responses to homelessness through initiatives such as the Peer Education Support Program. She has played a crucial role in developing Victoria's homelessness workforce and a road map for the future development and capacity of the homelessness sector.

Lastly, I want to acknowledge Jenny's leadership over the years beyond her role as CEO of the Council to Homeless Persons. She has chaired and participated in a number of governance and advisory groups, including multiple ministerial advisory committees, the Royal Commission into Family Violence housing task force and as chair of the Homelessness Australia national peak body. She also elevated *Parity*, the Council to Homeless Persons' regular publication, onto a national platform to advance the discourse on homelessness across the country. I want to acknowledge and thank Jenny Smith for her incredible contribution and wish her well in retirement.

International Quidditch Association World Cup

Sam HIBBINS (Pahran) (09:47): I rise to wish the Australian quadball, aka quidditch, team all the best in the upcoming world cup in America this year. I had the pleasure of attending the Victorian quadball fantasy tournament at Fawkner Park over the weekend, where I got to meet some of the national team players, nicknamed the Dropbears, and I got to watch a game of this fast-paced contact sport, where players wear mouthguards. I might add it is a very inclusive sport for all genders and people who are gender diverse. I am told we are in contention for a medal, with the USA and Germany our closest rivals, so go Dropbears!

Public sector wage cap

Sam HIBBINS (Pahran) (09:48): I want to thank all those workers who joined in our calls for the government to stop keeping wages low and scrap their cap on public sector wage rises. I heard from a range of public sector workers – teachers, nurses, educational support workers – who shared their stories about the impact of low wages. Key themes that came through were mental health, with financial stress contributing significantly to people's anxiety and negative mental health; people feeling undervalued and underappreciated; people working full time but still being on the poverty line, having to put off the purchase of essentials like reading glasses and dental work; and many public sector workers actually considering leaving their professions. I urge the government to stop keeping wages low and scrap the public sector wages cap.

Transport industry

Ben CARROLL (Niddrie – Minister for Industry and Innovation, Minister for Manufacturing Sovereignty, Minister for Employment, Minister for Public Transport) (09:49): I rise in International Women's Week to congratulate the transport industry sector, which every day is striving to better

represent the community we serve. And in this International Women's Week I want to congratulate and thank all the women on track or the women in rail that are contributing so much to our sector and its growth and serving the community we all strive for.

On Friday 24 February I had the great pleasure of attending the Metro Trains milestone dinner. It was a milestone dinner to recognise the staff of Metro Trains Melbourne and what they have done through the pandemic and beyond. At the event there were some 872 workers recognised, including 12 staff with an astonishing 50 years of service each – that is incredible. The combined total of service for these workers was over 22,000 years. On behalf of all members in this place, I want to take a moment to thank Joe Cavric, Joseph Lerm, Gary House, Neil Clendenning, Robin McMurray, Geoff Jacks, Peter Walhouse, Trevor Deutrom and Terrence Haby. Can I also thank Melbourne Storm, who participated in the evening and made a great contribution to the evening on culture and what it means to work in a team environment. The experience across our rail industry is astonishing, and I thank Metro. I also take this opportunity to thank our partners at Yarra Trams for the work they do. Can I thank Raymond O'Flaherty, the CEO of MTM, as well as everyone else that has been such an important part of this community.

Shepparton East Primary School

Kim O'KEEFFE (Shepparton) (09:50): I had the pleasure of returning to my former primary school, Shepparton East Primary School, this past week to present school badges to the school leaders for 2023 and the year 6 care teams. I always get so much enjoyment out of attending these presentations, and it is always extra special when you have a personal connection to the school. The children also really enjoy hearing about my time at the school, which I feel was not that long ago but in reality was many years ago. It also gives them the opportunity to think about their future and perhaps some political or community opportunities.

I congratulate the school captains Levi Baldy and Cameron Fossier; vice-captains Stephanie Vedeski and Zane Jemmet; and members of the junior school council Lexi Boswell, Tyler Betson, Georgia Sevolio, Sage Cormic, Ida McDonald, Tyler Jeanette, Emma Savic and Noah McDonnell. I also acknowledge the wonderful work the teachers and staff are doing at the school and the support of the families, as well as our hardworking teachers and staff across the region. I wish them all a wonderful year ahead.

Rotary Club of Tatura

Kim O'KEEFFE (Shepparton) (09:51): I also had the pleasure of attending the Tatura Rotary Club's 60th anniversary. I congratulate and thank them for their 60 years of community service – 60 years is truly outstanding.

North End Bakehouse

Kim O'KEEFFE (Shepparton) (09:51): I would also like to acknowledge the North End Bakehouse in Shepparton, which actually won the award for the best vanilla slice in Australia, so make sure when you are heading to Shepparton that you call past the North End Bakehouse.

Olivia Newton-John

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (09:52): I would just like to give some reflections today on the life of Dame Olivia Newton-John AC DBE, whose state memorial service many of us attended on Sunday 26 February at Hamer Hall at the Victorian Arts Centre.

We are very fortunate in the Ivanhoe electorate to have the Olivia Newton-John Cancer and Wellness Centre, which has become known mostly these days as the Olivia Newton-John wellness centre. Cancer treatment is very significant across the world, but particularly to have her name, her passion and her commitment to build and develop the Olivia Newton-John wellness centre in my electorate of Ivanhoe, in Heidelberg, where we have built two hospitals on one site – the Mercy Hospital for Women

and the new Austin Hospital, which was rebuilt on the site. To add the Olivia Newton-John Cancer and Wellness Centre has been very significant for my community and for so many people right across the state.

Olivia was always a healer and someone for whom love and light was at the centre of all she did. The Wellness Walk, which this year will be on 8 October at Alexandra Gardens, has in the past been across the Ivanhoe electorate, in Heidelberg. Olivia was very generous with her time locally, but also the work she did inspired so many who are cancer survivors and their families, who looked to Olivia for leadership and inspiration.

Housing crisis

Richard RIORDAN (Polwarth) (09:53): I wish to draw the house's attention to the Victorian Big Housing Build, which the government has trumpeted much about over the last couple of years. It is an important concept, getting more social housing into the market to help with our housing and home crisis here in Victoria, but I draw the attention of the house to the most recent figures that the government has been prepared to publish, and they are not very recent at all; they are in fact from June last year, which is an indictment on the management of Homes Victoria in its own right.

We have seen in Victoria up to \$2.8 billion being spent and some 2000 homes allegedly built. The net increase in social housing in Victoria is 74 homes – 74 homes in five years. That is all this government has been able to contribute to the desperate needs of some 36,223 people who are now languishing on a priority waiting list for somewhere to sleep each night. This list has increased from 33,245. We are gaining 3000 people a year on the priority waiting list, and yet this government after five years has only been able to produce 74 extra homes in the system here in Victoria. This simply is not good enough. It is adding greatly to the crisis. This government needs to start acting, stop talking and get on with the job of creating homes for Victorians.

International Women's Day

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (09:55): This International Women's Day, which has stretched out to a week, has been absolutely extraordinary, and I want to thank the amazing women who work tirelessly in my community and in other communities to better the lives of women and girls. I have attended functions in the last week with the Women of Wyndham, Brimbank City Council, the Parliament celebrations here – thank you, Speaker for coordinating that with your team – and the UN Women Australia's annual IWD lunch, just to name a few. Listening to the rich, diverse feedback from so many wonderful women like Monica Raizada, Aishwarya Kansakar, and Ifrin Fittock talk about the intersectional challenges of multicultural women and what they are facing every day was absolutely enlightening and helped us in developing policy for the future.

Community events like this are so important in giving women, especially local women, a voice. I believe in working together to create a fairer, more equal Victoria where women and girls can thrive regardless of their cultural background, financial situation or religious beliefs. Can I thank the local women who do so much in our community, my community of Brimbank and Melton, and who lift me up every day. Women like Ranka Rasic, Deepti Alurkar, Dawn Clark, Elaine Sanij, Madonna Awad, Kim Truong, Anne Maree Kliman, Tina Heywood, Joan Ellis and Andrea Markham.

The SPEAKER: And many happy returns, Minister for Women.

Liza Pharaoh

Wayne FARNHAM (Narracan) (09:56): In recognition of International Women's Day I am proud to rise today to recognise Liza Pharaoh and the incredible contribution she made to my community throughout her life. Liza sadly passed away in 2021 after a battle with cancer, and her legacy lives on with the new Western Park netball pavilion having been named in recognition of her – the courts where she spent many hours throughout her playing and coaching career. I am pleased to say I was able to

watch her play and to coach alongside her. Her achievements as a player were very impressive over 20-plus years. With 382 games, 12 best and fairest awards and six runners-up finishes, she was part of true premierships teams with Gippsland Storm, the elite tier development club in our region, not to mention all the premierships she coached and played in, too numerous to mention. Her legacy through the next generation is who she inspired as a coach. Liza's impact was also felt off the courts through Pharaoh's Secret Angels, a charity she established to support local cancer patients. Liza, you were an inspiration to many, so I am proud to see your legacy will live on as a part of the club you loved so much.

Dandenong North Primary School

Gabrielle WILLIAMS (Dandenong – Minister for Mental Health, Minister for Ambulance Services, Minister for Treaty and First Peoples) (09:58): I rise today to celebrate the outstanding NAPLAN results at Dandenong North Primary School, whose high performance was noted on the front page of the *Age* recently as the only school in Victoria where students in every tested year level made above-average progress each year between 2019 and 2022. This achievement is amplified by the fact that 70 per cent of the school students are considered disadvantaged and 89 per cent come from non-English-speaking backgrounds. Such a triumph is a credit to the entire school: teachers at every level, English as an additional language, specialist and admin staff as well, the students themselves, of course, and their families. It speaks also to the impact of the recently retired Kevin Mackay OAM and Jenny Mackay, former principal and assistant principal, who each dedicated nearly 40 years to creating an inclusive, warm environment for students from more than 50 different nationalities. Though the excellent Paul Hilton now leads the school, the legacy of the Mackays is to be memorialised in the Mackay gymnasium. The gymnasium to which the Andrews Labor has contributed some \$6 million will soon be complete.

I also want to point out that we know NAPLAN results are not definitive. We know that education comes in many forms and there are many different measures of success. However, it is wonderful to recognise Dandenong North Primary School for their exceptional and innovative work.

Emmaus College

Gabrielle WILLIAMS (Dandenong – Minister for Mental Health, Minister for Ambulance Services, Minister for Treaty and First Peoples) (09:59): A quick shout-out to my old school, Emmaus College, where I was yesterday morning to celebrate International Women's Day and catch up with some of my old teachers, who have forgiven me.

Merri-bek City Council waste and recycling management

Anthony CIANFLONE (Pascoe Vale) (09:59): I rise on behalf of the hundreds of local residents who have contacted me to express their frustration with respect to ongoing delays associated with Merri-bek council's rubbish bin collection services. As outlined in section 8 of the Victorian Local Government Act 2020:

The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

As outlined through the Victorian Auditor-General's report into municipal waste services:

Local councils are responsible for waste collection, processing and disposal.

Local ratepayers have told me that as they continue to experience increases in their rates notices from Merri-bek council they rightly expect and presume that service standards across core council services such as waste collection will continue to improve. However, for many of my residents across large swathes of Pascoe Vale I am sorry to report to the Parliament that this has been far from the case. As reported by Channel 7 and Channel 9 news, and I can verify this from the hundreds of constituents who have contacted me, residents have been experiencing significant delays in the council collecting household waste. Despite residents putting out their waste bins on the kerbside, as asked by council,

on designated days, many households are having to wait for days for the waste to be collected. Of the many contacts I have received, I would like to quote a local dad, Nick:

The delayed bin collection is causing a health hazard as the bins remain uncollected for an extended period. Last week our yellow bin was picked up 4 days late, that is 10 days between collections. Our delayed collections are not limited to the yellow lid bins, with green waste regularly delayed as well as our general waste bin.

I met with the council last week to raise this issue, and I ask them to resolve it as soon as possible.

Armstrong Creek library

Darren CHEESEMAM (South Barwon) (10:01): It was a pleasure to see construction underway on the new Armstrong Creek library and learning hub. This is a \$22 million build that has \$1.5 million invested from the Andrews Labor government's Living Libraries Fund. I was proud to advocate for this project through my community petition, which attracted hundreds of signatures from the Armstrong Creek area. Thank you to everyone who added their name in support of this library campaign.

Libraries have changed a lot since I was young. They have historically been quiet, studious places to borrow books and to sit quietly reading. Today they are vibrant hubs with lots of chatting and engagement and lots of people accessing the library to access other government services. The Armstrong Creek library and learning hub will comprise many contemporary amenities, including a children's story time area, multipurpose spaces, outdoor terraces and creative and program spaces. It will also be a 5-star environmentally designed construction site. It will service a population of up to 55,000 in the Armstrong Creek growth area, and I look forward to this library servicing this community for many decades to come.

St Helena Secondary College

Vicki WARD (Eltham) (10:02): Congratulations to St Helena Secondary College and their amazing staff and students on the success of their new wellness hub. The hub was created to give St Helena students a place where they can feel welcomed, valued and relaxed. Students who have struggled to engage with supports and services have become involved in helping to get the hub up and running, volunteering to put furniture together, contributing to discussions and engaging with staff and other students. Having a school wellbeing hub like this is important, as is acknowledging the fantastic work our schools are doing to support their students' wellbeing.

There are a lot of positive stories in our schools, and I want to share with this place terrific stories about St Helena, like their breakfast program and food bank; like their Wellbeing Wednesdays, where community groups share their experiences and run activities; and like Dogs Connect, a biweekly activity where students can have pats and chats with dogs, encouraging students to practice their numeracy and literacy skills. One particular ASD student, at a pats and chats session, lay on the floor with Frankie, the beautiful black lab, who lay on top of him with her nose on his shoulder for about 20 minutes, visibly relaxing the student. I want to thank the unwavering principal of St Helena Karen Terry, and the fantastic teaching and support staff behind the wellbeing hub: Vittora Saliba, Rachel Weiss, Lycas Williams, Costa Gatsios, Kara Chambers, Stephanie Villani and Sarah Ryan.

Research Primary School

Vicki WARD (Eltham) (10:03): Congratulations to Research Primary School, a fantastic local school which is also my former primary school, for their wonderful school fete last Sunday. I was blown away but not surprised by the incredible community support and wonderful activities and market stalls. Events like these do not just happen, they take a lot of work, and I would like to thank parent Jess Hayes, who rallied an army of community support for the event, and their fantastic school principal Fiona Vale, raising over \$20,000.

Halloumi Festival

Kat THEOPHANOUS (Northcote) (10:04): I rise to congratulate the Cyprus community of Melbourne and Victoria on their wonderfully successful Halloumi Festival over the weekend. Over two days crowds gathered to celebrate the national treasure of Cyprus, the humble halloumi cheese. Halloumi has been a staple of Cypriot cuisine for centuries. Back in the villages women would often pool together the milk from their goats and sheep to make the cheese, chatting with each other while they worked up this valuable source of protein. In this way it is not just a product but part of the community building and knowledge sharing that runs the Cypriot culture. Halloumi now has European Union status as a traditional product of the island, so no other country may export cheese under the same name.

As a young Cypriot girl growing up in Melbourne, I will always associate it with bowls of *τραχανά* soup that my mum and *γιαγιά* would make with those delicious pieces of chewy, salty, herby cheese melted in. It is heartwarming and astonishing to think that this simple product of our women's hands has now been embraced right across the world. Indeed nowadays there is scarcely a cafe in the inner north that does not have Halloumi somewhere on the menu, a testament to the success of this product and the beautiful intertwining of Cypriot cultural heritage with modern Victoria. Across so many domains Cypriots have made an enormous contribution to our state's cultural, economic and social fabric. Thank you to the Cyprus community for putting on another fantastic event, from the committee to the volunteers to the families who attended, and for sharing our love of Halloumi with Melbourne. *Συγχαρητήρια για ένα υπέροχο πανηγύρι!*

Power saving bonus

Steve McGHIE (Melton) (10:05): The Andrews Labor government has listened to Victorians and is once again bringing back the \$250 power saving bonus to assist with the cost of living for every single Victorian household. For my constituents in Melton this is an excellent initiative, and I encourage all Melton families to take advantage of this program to help ease the burden of the current economic situation. My office has been exceptionally proactive in providing a helping hand to all of Melton's constituents in claiming their power bonus. Throughout the third cycle of power bonuses my office assisted well over 1000 Melton households with their claims. When speaking directly with my constituents it could not be clearer how much this power bonus was going to benefit each Melton family and most importantly ease some of the financial pressures constraining Melton. I would also like to thank my electorate officers in their efforts helping constituents in applying and ensuring no-one misses out.

The fourth round of the \$250 power saving bonus will open from 24 March, with over 16,000 Melton households eligible to access the third payment. I encourage all these families to apply once again. Thousands of Victorians including every Melton resident that has applied for the power bonus has been able to secure a better or compare different energy providers across the market, giving the power back to Victorians. Not only does the Andrews Labor government have short-term solutions with the one-off \$250 power bonus, the longer term policy to bring back the State Electricity Commission and government-owned renewable energy will drive down energy costs, lower emissions and help create 59,000 jobs, highlighting the government's continual commitment to delivering for Victorians. Without a doubt the Andrews Labor government is leading the nation in driving down the cost of living.

Business of the house

Notices of motion

Colin BROOKS (Bundoora – Minister for Housing, Minister for Multicultural Affairs) (10:07): I wish to advise that the government does not wish to proceed with notice of motion 1 and ask that it remain on the notice paper.

*Bills***Statute Law Amendment Bill 2022***Statement of compatibility*

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (10:08): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Statute Law Amendment Bill 2022.

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (Charter), I table a statement of compatibility for the **Statute Law Amendment Bill 2022** (Bill).

In my opinion, the Bill is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill makes minor and technical amendments to a number of Acts to ensure the meaning of those Acts is clear, accurate and reflects the intention of Parliament.

In particular, the Bill makes minor and technical amendments to the:

- *Aboriginal Heritage Act 2006*, *Domestic Animals Act 1994*, *Housing Act 1983*, and *Terrorism (Community Protection) Act 2003* to fix typographical or grammatical errors in these Acts, update a reference and to further clarify the intended operation of the relevant provisions of these Acts (clause 3 and Schedule 1 of the Bill);
- *Competition and Policy Reform (Victoria) Act 1995* to reflect the renaming of the *Trade Practices Act 1974* (Cth) with the *Competition and Consumer Act 2010* (Cth) by the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010* (Cth) which was effective from 1 January 2011 (Part 3 of the Bill);
- *Sex Offenders Registration Act 2004* (SOR Act) to insert in Schedule 2 an additional Commonwealth offence (section 474.25C of the *Criminal Code Act 1995* (Cth), introduced in 2017) as a class 2 offence for the purpose of that Act (clause 3 and item 5 of Schedule 1 of the Bill). This amendment was intended to be inserted by Parliament in the *Justice Legislation Amendment (Police and Other Matters) Act 2022* (JLAPOM Act) but was likely ineffective due to a typographical error caused by section 34(1) of the *Firearms and Other Acts Amendment Act 2021* commencing earlier than the JLAPOM Act which removed a relevant reference in the SOR Act so the amendment to be made by the JLAPOM Act could not take effect; and
- JLAPOM Act to repeal the ineffective amendment in section 8(2) to the SOR Act (clause 3 and item 6 of Schedule 1 of the Bill).

I consider that the amendments under the Bill do not engage any rights under the Charter except for the amendment to the SOR Act.

The SOR Act supports Victoria Police to actively monitor registrable sex offenders and to reduce the risk of reoffending. An adult convicted and sentenced for a class 2 offence is, under the SOR Act, automatically added to Victoria's Sex Offender Register.

The additional Commonwealth offence was intended to be added to the SOR Act as a class 2 offence in 2022 in section 8(2) of the JLAPOM Act, however, this reform was likely ineffective and was not included in the SOR Act due to a typographical error.

The new offence under the SOR Act is using a carriage service (e.g. internet, text messages, email, telephone) to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity, persons under 16, except if the offence does not involve an act in preparing or planning to engage in sexual activity with a person under 16 years of age or an act in preparing or planning to procure a person under 16 years of age to engage in sexual activity. This offence is established by section 474.25C of the *Criminal Code Act 1995* (Cth). In practice, the Bill excludes conduct constituting an offence against paragraph 474.25C(a)(i) of the *Criminal Code Act 1995* of the Commonwealth as this conduct is not sexual in nature.

Human Rights issues

The Bill's amendments to the SOR Act engage the following rights under the Charter:

- freedom of movement (section 12);
- right to privacy and reputation under the Charter (section 13);

- freedom of expression (section 15); and
- protection of families and children (section 17).

While the amendment to the SOR Act ensures Parliament's intent in the JLAPOM Act is reflected, it will have human rights impacts in the same way as it did when it was a part of the original reforms in the JLAPOM Act which require consideration by the Parliament.

For the following reasons, having taken into account all relevant factors, I am satisfied that the Bill is compatible with the Charter and, if any rights are limited, the limitation is reasonable and justified in a free and democratic society based on human dignity, equality and freedom in accordance with section 7(2) of the Charter.

Freedom of movement

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it, and has the freedom to choose where to live.

In the context of the International Convention on the Elimination of All Forms of Racial Discrimination, Mason J described the right in *Gerhardy v Brown* (1985) 159 CLR 70 at [102], as including protection by law from unnecessary restrictions by the State or others on an individual's freedom of movement, movement without impediment throughout the State, a right of access to facilities necessary for the enjoyment of freedom of movement, and a right of access to places and services used by members of the public, subject to compliance with regulations legitimately made in the public interest, such as traffic laws, and subject to the private and property rights of others.

The amendment to the SOR Act may limit this right to the extent that a person who is sentenced for the new class 2 offence is subject as a registrable offender to the requirements of the SOR Act, including:

- reporting requirements under Part 3 of the SOR Act (sections 18 to 21A of the SOR Act require a registrable offender to report their intention to travel outside of Victoria to the Chief Commissioner of Police within specified timeframes); and
- enlivening the jurisdiction of the Magistrates Court to make a prohibition order under Part 4A of the SOR Act against a registrable offender. A prohibition order may persist for up to five years, and may include conditions prohibiting a registrable offender from contacting, associating with or being within a specified distance of a specified person or class of person or place or class of place; and from engaging in specified behaviour, specified community activities, or specified employment or kind of employment.

While the amendment engages and may limit the right to freedom of movement by imposing duties on a registrable offender to report their intention to travel outside Victoria, and by allowing for the Magistrates Court to make a prohibition order that includes a condition that limits a registrable offender's freedom of movement, I believe it is reasonable and justified noting:

- the duty to report travel intentions imposes a procedural requirement prior to travel, but does not prevent a registrable offender from moving freely around or outside of Australia;
- a registrable offender's right to freedom of movement is anticipated by the SOR Act, which provides for a registrable offender to report a change of travel plans when out of Victoria;
- any limitation on the right to the freedom of movement imposed as a condition of a prohibition order is limited to a period not exceeding 5 years and is the result of a judicial process set out in the SOR Act. Any lawful limitation imposed on a registrable offender's right to freedom of movement must be reasonable in the circumstances; and
- each of the reporting requirements and prohibition order mechanisms protect the broader rights of the protection of children by providing for the Police to monitor a registrable offender's movements and/or certain high risk behaviours or activities to reduce the risk of the commission of a further offence involving sexual violence committed against a child.

Accordingly, I am satisfied that these amendments are compatible with the freedom of movement under the Charter.

Right to privacy and reputation

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Section 13(b) provides that a person has the right not to have their reputation unlawfully attacked.

An interference with the right to privacy and reputation is justified if it is both lawful and not arbitrary. An interference will be lawful if it is permitted by law which is precise and appropriately circumscribed and will

be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

The amendment to the SOR Act engages the right to privacy and reputation since it means that a person who is sentenced for the new class 2 offence is a registrable offender under the SOR Act and must report certain personal details to the Chief Commissioner of Police for the period set out in that Act.

The details that registrable offenders must provide the Chief Commissioner of Police within seven days of being sentenced or released from prison includes their name, date of birth, contact details, internet provider, internet username identities, personal details of any children who they live with or have unsupervised contact with and employment details. A registerable offender must also report their personal details to the Chief Commissioner of Police annually and any change in personal details within seven days of this occurring (or in some circumstances, earlier).

This amendment engages the right to privacy and reputation to the extent that a registrable offender under this amendment is given no option but to share personal details with the Chief Commissioner of Police for the specified period and these details may reveal negative attributes of the registerable offender's character which may be perceived as an attack on their reputation. The Chief Commissioner of Police or a person authorised access to the Register is able to disclose personal information in the Register in limited circumstances under section 64 of the SOR Act.

However, I am of the view that this amendment does not limit the right to privacy and reputation. This is because the duty to report personal details to the Chief Commissioner of Police is required by law (i.e. the SOR Act) and is not arbitrary. The duty to provide personal details is not arbitrary because it is for a clear and legitimate purpose, and is appropriately confined; the SOR Act specifies the personal details required and specifies a clear process for a registerable offender to give their personal details to the Chief Commissioner of Police. The new class 2 offence is consistent with the types of offences specified as class 2 offences in Schedule 2 to the SOR Act. Section 63 of the SOR Act also has restrictions on who can access the Register and generally prohibits the disclosure of any personal information in the Register unless exceptions under section 64 apply.

Further, any limitation that may be identified would be reasonable under section 7(2) of the Charter, as it is for the broader and proportionate purpose of promoting the right of protection of persons, including children.

In my opinion, any requirement to disclose personal information under the SOR Act is neither unlawful nor arbitrary for the purposes of section 13 of the Charter.

Accordingly, I am satisfied that these amendments are compatible with the rights to privacy and reputation in the Charter.

Freedom of expression

Section 15(2) of the Charter provides that every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds orally, in writing, in print, by way of art or in another medium of their choice.

Section 15 also provides that special duties and responsibilities attach to this right, and that lawful restrictions may be reasonably necessary to respect personal rights and reputations, and to protect national security, public order, public health or morality. The right is not absolute and can be also subject to reasonable limitation under section 7(2) of the Charter.

The Bill engages the right to freedom of expression by requiring a person to do certain things, including reporting personal details to the Chief Commissioner of Police as summarised above in this statement.

Although these provisions may engage the right to freedom of expression, in my view any limitation is minimal with respect to providing or receiving information and is lawful, reasonable and necessary to advance the broader and proportionate purpose of promoting the right of protection of persons, including children.

Therefore, the Bill is consistent with the rights in relation to freedom of expression in section 15(2) of the Charter.

Protection of families and children

Section 17 of the Charter provides that families are a fundamental group unit of society and are entitled to be protected by society and the State. Every child has the right, without discrimination, to such protection as is in the child's best interests and is needed by the child by reason of being a child.

The amendment to the SOR Act engages and promotes this right by specifying that an adult who is sentenced for an offence against section 474.25C of the *Criminal Code Act 1995* of the Commonwealth (using a carriage service to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity, persons under 16) except if the offence does not involve an act in preparing or planning to engage in sexual

activity with a person under 16 years of age or an act in preparing or planning to procure a person under 16 years of age to engage in sexual activity, is a registrable offender and must report personal details under the SOR Act. The reporting requirements under the SOR Act serve the purpose of protecting children by reducing the risk of a registrable offender re-offending, and in assisting Victoria Police to investigate any further offence involving sexual violence that may be committed against a child by the registrable offender.

Accordingly, I am satisfied that these amendments are compatible with the rights to protection of families and children in the Charter.

The Hon Danny Pearson MP
Minister for Government Services

Second reading

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (10:08): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

The Bill before the Legislative Assembly, the Statute Law Amendment Bill 2022, is a regular mechanism for reviewing Victoria's statute books and makes a range of minor amendments to Acts to ensure the orderly management of the State's statutes.

The Bill is required as a matter of good legislative housekeeping to ensure the clarity, relevance and accuracy of statute law in Victoria is maintained. By correcting references and fixing errors, the Bill ensures that Victorian statutes are up-to-date, consistent and clear, and maintained in a regular and orderly manner. This serves the broader purpose of ensuring these Acts remain relevant and accessible to the Victorian community, and that Victorians can have confidence in the clarity and accuracy of these Acts that affect them.

The Bill:

- corrects minor ambiguities, omissions or errors in the *Aboriginal Heritage Act 2006*, the *Domestic Animals Act 1994*, *Housing Act 1983*, and updates a reference in the *Terrorism (Community Protection) Act 2003* to ensure the meaning of these Acts is clear, accurate and reflects the intention of Parliament;
- makes minor amendments to the *Competition and Policy Reform (Victoria) Act 1995* to reflect the renaming of the *Trade Practices Act 1974* (Cth) to the *Competition and Consumer Act 2010* (Cth) by *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010* (Cth) which was effective from 1 January 2011;
- amends the *Sex Offenders Registration Act 2004* (SOR Act) to give effect to an amendment to Schedule 2 of the SOR Act that section 8(2) of the *Justice Legislation Amendment (Police and Other Matters) Act 2022* (JLAPOM Act) sought to make, but was likely ineffective due to a typographical error caused by section 34(1) of the *Firearms and Other Acts Amendment Act 2021* commencing earlier than the JLAPOM Act which removed a relevant reference in the SOR Act, meaning that the amendment to be made by the JLAPOM Act could not take effect; and
- repeals the ineffective amendment made by section 8(2) of the JLAPOM Act ahead of its 2025 automatic repeal date to ensure the SOR Act and statute books remain clear.

I will outline the reform to the SOR Act, which the Parliament intended to make in the JLAPOM Act and that will be made effective by the Bill.

The SOR Act supports Victoria Police to actively monitor registerable sex offenders and to reduce the risk of reoffending. It requires registrable offenders to report to Victoria Police at the commencement of their registration period, and periodically over that time to allow Victoria Police to record the personal details of a registrable offender.

The SOR Act prescribes four classes of offences for the purposes of the Act. A person sentenced for a class 2 offence is automatically registered as a registrable offender and must comply with the reporting requirements under the SOR Act.

The Bill makes effective the amendment intended by section 8(2) of the JLAPOM Act to list as a class 2 offence the Commonwealth offence of using a carriage service (e.g. internet, mobile phone) to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity, persons under 16 except if the offence does not involve an act in preparing or planning to engage in sexual activity with a person under 16

years of age or an act in preparing or planning to procure a person under 16 years of age to engage in sexual activity.

This offence is established by section 474.25C of the Criminal Code Act 1995 (Cth). In practice, the Bill excludes conduct constituting an offence against paragraph 474.25C(a)(i) of the Criminal Code Act 1995 of the Commonwealth as this conduct is not sexual in nature.

I commend the Bill to the House.

Tim McCURDY (Ovens Valley) (10:08): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for one week. Debate adjourned until Thursday 16 March.

Heritage Amendment Bill 2023

Second reading

Debate resumed on motion of Sonya Kilkenny:

That this bill be now read a second time.

Tim BULL (Gippsland East) (10:09): It is a pleasure to rise and make a few short comments on the Heritage Amendment Bill 2023, and I will keep my contribution relatively brief given the fact that we are not opposing this bill. It does seem a rather uncontroversial bill that will provide for online access to heritage documents and notices and Heritage Council hearings and allow for applications to exclude places and objects from the Victorian Heritage Register. That is one small element of this bill that I would like to make a few points on.

We are told in the second-reading speech that this is to appease government agencies that are running into problems that they encounter in undertaking major projects with a prospect of new nominations from third parties for heritage listing after the works on that project have already started. This can have some obvious implications with delays, and we all know in the construction industry that delays equal costs. So this bill will now allow agencies to apply to the executive director of Heritage Victoria to exclude a place or object from the Victorian Heritage Register. But what is important to mention here is that applications will be made where there is a thought or a possibility that a building or object may be heritage listed, or whether it remains unclear whether it should or should not be heritage listed and this will, I guess, fast-track a determination.

In making an application, it does not automatically exclude that place or object; it goes under assessment and the executive director will either be satisfied that it does not qualify for heritage listing and then obviously a development can continue because it does not meet the threshold for inclusion, but if it does have the potential for inclusion, it will then go under assessment and that assessment will be fast-tracked so that those who are undertaking major projects know what they are dealing with. Either way it will allow the significance of a place or object to be taken into account in the earlier planning stages of the project rather than bumping into issues later down the track.

The bill also outlines a number of other areas where changes are being made, and they relate to consents around archaeological sites and entering places or objects on the Victorian register. It allows things like minor permit amendments to be made without paying a fee and permit exemptions to be revoked if they do not reflect the best heritage practice and requires permits to be issued in 45 business days rather than 60 days. As our lead speaker the member for Croydon pointed out in his address, these are all steps that improve the system and make it more streamlined, and they are issues that we do not object to.

Whilst we are talking about heritage listings, there is one area that I would like perhaps to be considered in any future amendment bills and that relates to what can be done in relation to alterations that can be made to heritage-listed buildings. Some will argue that there is not a grey area, but it seems difficult for communities to get accurate information on what can and cannot be done in relation to

altering a heritage building or object, and I want to cite one example. In the middle of Bairnsdale we have a long-disused water tower. Those who have visited Bairnsdale will have seen this magnificent structure right in the middle of town – as you are entering from Melbourne it is probably slightly more sited to that side. It was built in 1926 and was heritage listed as part of the Bairnsdale pumping station. Obviously that is located some distance away, but it was all tied up in the one heritage listing. The pumping station is historically significant as it is the most intact example in Victoria of an early municipal pumping station. There are two key phases in the development of the pumping station and they were designed by two of Victoria's leading engineers at the time – a chap called John Grainger and a far better known chap called Sir John Monash who went on to have a very, very significant military career and is known by many as being our greatest soldier – so it seemed fit to be listed. The trouble is that the tower element in Main Street has become an extraordinary eyesore and the community for years has wanted to get it painted, have lights projected onto it or do something to make it a more attractive proposition for visitors to our town but obviously the confines of the heritage listing restrict what they can do. But the community has for some time had an extraordinarily difficult time trying to find out exactly what they can and cannot do.

That water tower – while we are talking about John Monash – was constructed by a chap by the name of Frank Loud, who was one of the first ashore at Gallipoli. He was originally from Queensland but came back, settled in Bairnsdale and built the first concrete structure in Bairnsdale, which was the Big Garage, a Holden dealership for many, many years after it was the Big Garage. So Frank Loud, who settled at Mount Taylor and built the Bairnsdale water tower, was in the first boat ashore at Gallipoli. I know a lot have made that claim, but there is very strong evidence to suggest he was.

There is another community group I think for the umpteenth time presently exploring what they can and cannot do with that water tower. As we drive around the community, we see other water towers painted; other silos have got magnificent art on them, and they obviously do not have that heritage listing attached. But I would hope that we can have a process in place that can perhaps better assist communities in assessing what can and cannot be done to these heritage-listed structures and finding that balance between preserving the historical significance and avoiding having an eyesore in the town. I will conclude my contribution with that point, in the hope that that can perhaps be progressed to offer a more detailed, quick and simple system to communities who are seeking that information.

Darren CHEESEMAM (South Barwon) (10:16): It is with some pleasure this morning that I rise to speak on the Heritage Amendment Bill 2023. When I was looking through this particular bill and thinking about the contribution that I might make to debate on this bill as it proceeds through this chamber, I reflected on my time serving as a councillor with the City of Ballarat, way back in 1999. Of course those that are familiar with Ballarat might recognise that Ballarat has a significant amount of built heritage, and indeed most of the landscape of inner Ballarat has not changed since it was established back in the 1880s and 1890s, a time of extraordinary wealth in Ballarat, funded by the gold rush of the 1850s through to the early 1920s. That heritage in large part came under threat in the 1980s and 90s as developers sought out those inner-Ballarats properties and sought to in many ways trash the heritage that had been in place going right back to the gold rush.

The City of Ballarat, the councillors at the table, which included me, proceeded to work through the arrangements of the planning act, the heritage act and our planning scheme to make sure that we very clearly defined what those heritage structures were, which ones needed to be recognised and protected and which streetscapes needed that level of protection in the planning scheme. I would hope that as a consequence of the work of that council back then there is now in the context of Ballarat, a very historic town, a very clear understanding of what can be developed and under what circumstances, because the heritage arrangements and the planning scheme arrangements that were put in place back then made it clear – and to be frank, the work was done at a municipal level to define it, to protect it and to recognise it where appropriate.

I think, in reflecting on the Big Build and the massive volume of very significant builds that is happening right now in the state of Victoria as we deliver the Andrews Labor government's Big Build

agenda, what we do see is that people are looking to exploit the lack of work that in so many ways should have really been done by different local government bodies throughout Victoria to adequately define what heritage exists within their municipalities and what arrangements ought to be put in place. What we have seen, I think unfortunately, is people looking to exploit that lack of work that has been done, to slow down, and to stop in some instances, the delivery of the Big Build. This has profound real-world consequences for Victoria, because that Big Build agenda could be the development and building of social housing, and delaying the delivery of that social housing may see people who need homes, who cannot afford to find those homes through private sector arrangements, not being able to get the roofs over their heads that they so desperately need.

But it also could mean those that are stuck in Melbourne's congestion not being able to access the infrastructure that the Andrews Labor government wants to build to decongest our city and make it easier for Melburnians and Victorians to move around our city. That has consequences for their family lives and it has consequences for the commerce of the state, because congestion ultimately has a profound impact on inflation and our economy and it has a profound impact on the way people move through our city. It often means people cannot enjoy a life outside of the car to the extent they would because they are spending so much time in the car.

It also has a profound effect on the capacity of central agencies to be able to predict the costs of building infrastructure, because delay very much does equal cost blowouts. I think these arrangements that we are seeking to put in place will mean that there will be much greater clarity around how the heritage acts can be used in making sure that that work is done early on so that those things can be recognised and dealt with appropriately early on as opposed to being used to hijack a project or to delay the delivery of a project, which does have terrible consequences.

I would also take the opportunity to say that with all of these things, getting that pendulum right between protecting the heritage of Victoria and recognising that we do need to put in place new economically enabling infrastructure to make our state work as best as we can, we need to make sure that these investments that we wish to make to make Melbourne work – particularly Melbourne – can be done in a way that is predictable and plannable. At the end of the day what I would certainly be saying to local governments around the state and to local communities around the state is do the work, protect your heritage, recognise it in planning schemes where appropriate. If you do that, that will assist the state when we deliver our Big Build to recognise that heritage rather than enabling these things to be used to hijack projects.

I would say that, by the nature of these projects, from time to time heritage-significant sites will be discovered early on in a construction project. In fact, as part of the Big Build in Geelong, in renovating one of our train stations the contractors did discover some heritage that had otherwise been lost, buried under some asphalt. Some arrangements were put in place to recognise that heritage, and I look forward to some further work being done. It does happen from time to time. We need to make sure that we have got the pendulum struck right so that when that does happen we can assess that quickly and make an assessment as to whether that discovered heritage is worthy of protection even if it had previously escaped recognition.

This bill is important. It will enable us to deliver the infrastructure commitments that we took to the people of Victoria in 2014, 2018 and 2022. We need to get the balance right. I think these arrangements do get that balance right. It is still incumbent on local communities to recognise their heritage and make those applications through their planning scheme amendments and the like, and I would encourage communities to continue to do that work where they appreciate it. I am looking forward to this bill passing this place.

Tim McCURDY (Ovens Valley) (10:27): I am delighted to rise and make a brief contribution on the Heritage Amendment Bill 2023. We know that this bill is to amend the Heritage Act 2017 to provide for exclusion determinations and to make other amendments to improve the operation of the act and for other purposes. These legislative amendments will create three main reforms: firstly, to

provide for online access to heritage documents and notices and Heritage Council hearings; secondly, to allow for applications to exclude places and objects from the Victorian Heritage Register; and thirdly, to clarify and improve the operation of the Heritage Act. The bill is pretty straightforward and, as you have heard from previous speakers, we will not be opposing this bill. It makes a number of practical improvements.

The bill modernises the legislation and increases public visibility of Heritage Act processes by allowing online access to key documents and notices via the Heritage Victoria or Heritage Council websites. Public access to Heritage Council hearings will also be enhanced, with a process for hearings to be held using audio or audiovisual links. Online access to heritage documents is a benefit, particularly to regional Victorians, who sometimes have a hard time accessing and sourcing the documents they need for their research. It is fair to say that in many instances the type of person who is doing the research on local heritage as a hobby tends to be older or retired, meaning it is harder for them to visit places in Melbourne or other major centres to view documents or hearings. This is in line with the recent trend towards having greater accessibility of various databases through online access. The bill also changes the notification and publication requirements for the said documents.

The work the Heritage Council and Heritage Victoria do is vital in ensuring our history is preserved for future generations. By making it easier to host hearings via online forums we are allowing more Victorians to participate in the heritage process, which can reveal important stories of our past. Our history and our heritage are things we should cherish. They tell a story about the way things were, the daily struggles and challenges and the lifestyles that those before us led, and this is why preserving our heritage is so important, as is providing more Victorians with an opportunity to partake in the heritage process. More often than not the people with the greatest understanding and knowledge in the areas of heritage have lived their whole lives in towns such as Wangaratta, Bright or Cobram and know all the stories. They are the kinds of people who if you go to the local for a drink will be in the corner telling tales of yesteryear. They have an amazing knowledge of the area and their local community. These are the people we should be reaching out to and providing more access and input to when it comes to local heritage. By providing online avenues, more people with vast local knowledge will be able to contribute to the discussion, particularly in regional Victoria.

There is a great deal of history and heritage in my electorate, perhaps most notably in Glenrowan where the infamous Ned Kelly and the Kelly gang laid siege to the Ann Jones Inn. Whilst the inn is no longer there, the location is still preserved for future generations. There are also numerous buildings, bridges, locations and items throughout the Ovens Valley that hold heritage value, and as I said before, they tell the story of our towns and the history of the Ovens Valley. The benefit of a more accessible heritage process is not just to the experts and academics of the regions, but also the young students, those with a curious mind and a passion for local history. By feeding the fire of their passion we are able to bring up a new generation of young people with expertise in local history who can continue to pass on the stories of our great regional towns. They can continue to look after those precious heritage items and continue to protect the tapestry of our history in the towns from which they come.

History is precious and heritage is important. It forms our identity, it helps shape our beliefs as people and it delivers stronger local communities. We cannot change history, but we can preserve it for future generations to tell the story of how life used to be. By providing greater accessibility more people are encouraged to partake in the heritage process to understand their own personal history and how we got to where we are today. Regional Victoria has a rich history, yet the least access. There is so much more to be learned and shared about the small towns, the old buildings and the significant places that are all around. I know that by providing online hearings this rich history will be shared and all connections and history discovered. From churches to pubs, from homes to businesses, from parks to bridges, the history of our great regional towns should continue to tell the story of Victoria. They should be protected and the history around them should be easily accessible. Greater knowledge leads

to greater understanding, and a greater understanding of our own history will allow us to build upon that great tapestry in the future. As I said at the beginning, we will not be opposing this bill.

Sarah CONNOLLY (Laverton) (10:32): It is an honour to rise to speak on the Heritage Amendment Bill 2023 and make a contribution in this place. It was very interesting listening to the member for Ovens Valley talk about our regional towns and the history that is in those towns, which is and always should be preserved. It takes my mind back. I was sitting here smiling because I was thinking of a recent trip that I took the family on, a camping trip. We were heading north to Sydney, and instead of stopping for a very early morning breakfast at McDonald's we always stop at Euroa before we go on to cross the border. We stop at Euroa for a couple of reasons. It is an absolutely gorgeous town. It has a fantastic cafe that you can take dogs to and sit out the back, because my little beagle Ringo Starr loves chewing on the bacon out there. When we go for a little bit of a walk around the block to stretch our legs before going back to the car and the camper trailer, there is actually an old bank there that I realised this time on the recent trip going north was held up or robbed by Ned Kelly. It was wonderful to see. It was very unexpected for me, but I love the fact that it is in the middle of the town and I just happened to be stretching my legs and looking at a plaque on a wall in celebration of this – what would I say – romantic figure in Australia's bushranger history and early colonial history, Ned Kelly.

So bills like the Heritage Amendment Bill here before this house are indeed very, very important. Like the Human Source Management Bill 2023 that we debated last sitting week, this bill acquits legislation that was introduced into Parliament last year before the last election. Nevertheless this bill is actually going to go ahead and build upon our government's record of improving protections for heritage buildings. In the last term we moved to protect heritage buildings from being knocked down by developers who could wear the penalties for doing so. It was something very important to do, to ensure that our buildings important to Victoria's history and indeed our nation's history are protected, even from being demolished by builders that have enough money to go ahead and pay the penalty when they knock them down.

Just last month we passed the Building and Planning Legislation Amendment Bill 2022, which has since, I see, received royal assent, and which provides protection for special landscapes like our beautiful Macedon Ranges, which I know the member for Macedon talks so passionately about in this house. Again it is somewhere that I love to go with my family and take the kids and my little beagle Ringo Starr to explore some of the beautiful sites, scenery and walks in the Macedon Ranges – and indeed our incredible Surf Coast.

This bill builds upon those changes and makes several positive reforms to Victoria's state heritage system. We know that heritage sites are so important to the communities they are part of. It is something that I find increasingly as I get older – I reflect on the importance of preserving these sites and continuing to look for ways in which we can do it better and improve upon the laws, policies and reforms that we have made in this house in previous bills in previous years and look at how we can do that better and offer more protection to sites that are increasingly becoming more and more important to local communities. It is why the Living Heritage program has gone ahead and invested over \$60 million in funding to protect these sites since 2016, and that has supported nearly 200 conservation projects.

When I think of some of these heritage sites I am reminded of how significant locations exist in the Laverton electorate. The Laverton electorate might not have these sort of romantic figures like Ned Kelly from Australian history, but the greatest example that comes to mind would definitely be the old Massey Ferguson complex located just a few kilometres south of the Sunshine Marketplace. This was the original site of Hugh Victor McKay's industrial complex, which gave rise to the Sunshine community in the early 1900s. For a bit of history in relation to that for members sitting here in the house today, the workers in McKay's grain harvesting factories were housed close by, which formed the basis of the suburb of Sunshine.

For a little bit of Labor history, this industrial site was the basis for the Harvester decision in 1907, which introduced to Australia the concept of the minimum wage. Today this site is integrated into our Sunshine

Marketplace, with part of the remaining factory housing our wonderful Visy Cares Hub. As many of my western suburbs colleagues would know, the Visy Cares Hub is home to a number of incredible and passionate youth support services, including Headspace, YouthNow and Westjustice. I was very lucky before the election to go ahead and do a tour and see these organisations and services in full flow. It is quite remarkable what they are doing there and the support they offer young people in my local community and indeed the western suburbs. I think I visited there with the member for Kororoit.

Luba Grigorovitch: We did, yes.

Sarah CONNOLLY: Yes, that's the building. Of course I cannot talk about Sunshine and heritage without mentioning the John Darling flour mills in Albion, just a few kilometres north. I know that is a site that so many locals absolutely love and appreciate. They would love to see the heritage of those flour mills retained whilst also activating what could be, and I very much hope will be, an incredible precinct, a busy precinct in and around our brand new Albion station – that \$80 million rebuild that we announced just before the election. We will go ahead and rebuild that station from the ground up with \$80 million.

These sites are really important to so many locals for a lot of different reasons, and I think it is increasingly so important that our laws go ahead and reflect that. It is reflecting community expectations. The bill seeks to do just that whilst also tackling a number of issues that have arisen over the last couple years in relation to the heritage system. The changes in the bill were subject to extensive consultation and have the support of heritage bodies, non-government organisations and government agencies. One of the first major changes that this bill introduces relates to the way in which the government delivers infrastructure projects and their obligations under the Heritage Act 2017. It is an important change, but we know that under the current rules third parties can nominate to have a site listed as a heritage site in the middle of a major transport project, causing major disruption and delay, not to mention the associated cost.

Now, we know that there are times when major projects have massive implications for vast, vast areas of land and that this sometimes intersects with notable heritage-listed sites, but what is most important here is that we cannot have these issues arise in the middle of a construction period once everything else is underway. As it stands there is no ability for agencies responsible for delivering these major projects to confirm the heritage significance of a place or object during the actual planning stages of a project. So it is really important that agencies have a way of establishing the heritage significance of a site really early on and prior to a project commencing. The bill achieves this by allowing those agencies to go ahead and apply to Heritage Victoria's executive director for a place or object to be excluded from the Victorian Heritage Register. It should be noted, though, that this does not mean that protections for heritage locations are being watered down in any way.

In the time I have remaining I take the opportunity to encourage members to go ahead and explore places, particularly around regional Victoria, that have such an incredible history that is really quite significant here to Victoria but also to our nation's history. There are so many towns that I have been lucky enough to have taken my children to visit, and as a family that was not born and bred here in Victoria, time and time again it absolutely astounds me at how beautiful some of these towns and these sites are. I can think of so many incredible occasions and holidays and trips and drives through particular towns that we have had that are steeped in history.

Steve McGhie interjected.

Sarah CONNOLLY: Well, there are plenty more to go. That is right, member for Melton. So this long weekend I would encourage members to go out and explore those sites.

John PESUTTO (Hawthorn – Leader of the Opposition) (10:42): I move:

That the debate be adjourned.

I move that the debate be adjourned to discuss the important matter of the letter from the former commissioner for IBAC to the Speaker of this chamber and to the President of the other chamber. These are urgent matters. We have the former head of Victoria's anti-corruption commission accusing this government of corruption, corruption by trying to subvert the processes of this Parliament, corruption by trying to interfere with the work of the independent auditor who was appointed to look into the work of IBAC – a government that is being faced with allegations potentially of criminal conduct, asking members of the auditing committee and IBAC to produce and release documents that would ordinarily be subject to secrecy and subject to confidentiality.

What the former commissioner for Victoria's IBAC is actually alleging is that members of the government opposite were trying to suborn a breach of the IBAC legislation, a breach of the secrecy and confidentiality provision. What does this government think it is? A gang? What – it is going to heavy people? It is going to shake them down? This is disgraceful. And what makes it more disgraceful is that when asked about it this morning, what did the Premier do? The Premier just dismissed it like a childish brat. He dismissed it and said he had not seen the letter. Well, I do not believe that for a second. Maybe he can sell us a bridge in Sydney, but he knows about that letter, he knows what it said, he knows everything that has come through to the government. He has been –

Mary-Anne Thomas: On a point of order, Speaker, the subject of the debate and the point that the Leader of the Opposition has raised is quite narrow. It is an argument to adjourn the debate on a very, very important bill, our Heritage Amendment Bill 2023, and I ask you to bring him back to addressing the issue that he has raised. This is not an opportunity for the Leader of the Opposition to rant and rave and seek to make political points on a day when we have very important business to get through.

Members interjecting.

John PESUTTO: Well, well, well, Deputy Speaker.

The DEPUTY SPEAKER: Order! Leader of the Opposition, is this on the point of order?

John PESUTTO: No, I take the –

The DEPUTY SPEAKER: Okay, I will rule on the point of order. This is a procedural debate, and I ask that you stick to the procedure. Thank you.

John PESUTTO: The minister opposite is actually right. There is important business to transact in this house, important business related to the reputation of our state as a place that has a government that acts with principle, a government that acts with ethics, a government that acts with standards and principles. That is why it is important to shift procedures and move urgently to a discussion on the importance of these issues.

Let us just look at why that is important. Someone so esteemed, indeed so esteemed that the government opposite appointed Robert Redlich as the Commissioner for IBAC, is making serious allegations of serious wrongdoing and potentially criminal conduct. That is why it is important.

Mary-Anne Thomas: Again on a point of order, Deputy Speaker, the Leader of the Opposition is making a range of unsubstantiated allegations. Once again, this is a procedural matter, and what we are seeing here is a performance from the Leader of the Opposition designed to shore up support from his backbench.

The DEPUTY SPEAKER: The Leader of the Opposition to continue. Please remain on the procedural motion.

John PESUTTO: Absolutely, Deputy Speaker. And again, the minister, as always, is correct. This is an important issue. It is important because allegations are being made by a very esteemed jurist and Victorian, Robert Redlich, who is accusing the Andrews Labor government of being corrupt. That is what he is alleging. And not just corrupt – he is alleging that potentially criminal behaviour has been engaged in. What could be more important than that?

Mary-Anne Thomas: Once again on a point of order, Deputy Speaker, in relation to relevance –

The DEPUTY SPEAKER: This is a procedural debate, and we must keep close to the issue. I appreciate you are raising an issue of adjournment –

John PESUTTO: On the point of order, if that is okay, Deputy Speaker, I was simply making the point that it is important to change the program that we are discussing here in the house –

The DEPUTY SPEAKER: The member's time has expired.

Members interjecting.

John PESUTTO: I will get to my point of order in a short moment. The minister made some very valid –

The DEPUTY SPEAKER: Your time has expired. The Leader of the Opposition will take his seat.

Members interjecting.

The DEPUTY SPEAKER: Order! The Leader of the Opposition will take his seat. His time has expired.

A member: You can't shut someone down on a point of order.

The DEPUTY SPEAKER: His time has expired.

Members interjecting.

The DEPUTY SPEAKER: On the point of order, the leader is to come back to the debate. The Leader of the Opposition's time has expired.

Members interjecting.

The DEPUTY SPEAKER: I just ruled on the point of order.

John Pesutto: My contribution to the point of order was to justify such an important step in changing the program we are transacting here in this chamber. In order to achieve that it is necessary to describe in some detail why the matter is urgent, and corruption is urgent. Criminal wrongdoing is urgent. A dismissive attitude towards matters of corruption is important. That is why it is important for Victorians to see that their government is concerned with them and not themselves.

The DEPUTY SPEAKER: The Leader of the Opposition will remain in his seat. There is no point of order because the member's time has expired.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (10:49): I rise today to oppose this motion to adjourn the debate on a government business program that has been determined already by the Parliament. We have a number of speakers from both sides of the house who have indicated their readiness and willingness to talk on the Heritage Amendment Bill 2023, and indeed we have a further bill to discuss today. I oppose the motion that is being put by the Leader of the Opposition.

Michael O'BRIEN (Malvern) (10:49): Heritage is important but corruption is more important. Legislation is important but integrity is more important. That is why this debate needs to be adjourned now, because we have more important things that this house needs to deal with. This house needs to deal with the fact that the former Commissioner for IBAC has accused this government of corruption. And all of these patsies on the committee, all these little cat's paws in the Premier's office –

Mary-Anne Thomas: On a point of order, Deputy Speaker, the member for Malvern is making a series of assertions based on conjecture, based on nothing that is before the house, so therefore –

The DEPUTY SPEAKER: What is your point of order?

Mary-Anne Thomas: It is on relevance, and I ask that you rule him out of order on the basis that he is not being relevant.

Michael O'BRIEN: On the point of order, Deputy Speaker, firstly the embarrassment of the government is quite clear from the way that the Leader of the House keeps trying to jump up and interrupt every single speaker on this side and curtail our time for debate. What are they hiding? We know they gagged the IBAC Commissioner; they are now trying to gag the opposition as well. That is why. I am speaking about the reason that this business of the house needs to be adjourned immediately, because we have more important things to deal with, and I am happy to continue in that vein.

The DEPUTY SPEAKER: On the point of order, there is no point of order.

Michael O'BRIEN: Thank you, Deputy Speaker. So when we talk about the things that matter in this house, yes, legislation is important, yes, heritage is important, but we are talking about the need to debate whether this government is run by people of good integrity or whether it is run like a banana republic, because that is the import of the letter from former commissioner Redlich: that government members actually sought to do a political hit job on the anti-corruption commission. Why? As payback for the fact that IBAC was investigating actions of this Andrews Labor government. That is far more important. With great respect to heritage, it is far more important that we debate that now. It is far more important that we get answers. It is far more important that we hear from former commissioner Redlich. It is far more important that we hear from the independent auditors, who were allegedly told to find dirt on IBAC. Who does this? Who goes out and says to an independent auditor, 'We want you to find dirt on our anti-corruption watchdog'?

The trouble is this government does not want a watchdog, it wants a lapdog. That is what they want. It is why they stacked the Integrity and Oversight Committee, that is why they put in cat's paws as chairmen of it all the way along and that the connecting room between the Premier's office and the chairman's office is –

Colin Brooks: On a point of order, Deputy Speaker, the honourable member has been here long enough to know that reflections on members of this place are inappropriate. I ask you to warn the member.

Michael O'BRIEN: On the point of order, Deputy Speaker, I think the allegations that have been put in writing to the Speaker of this house by, at the time, the Commissioner of IBAC are serious matters, and if the honourable minister is concerned that they should be tested, I would agree with him. Let us hear from commissioner Redlich. Let us get him before the house because I agree these are serious matters. In fact the minister's concerns about this issue indicate why this debate should be adjourned right now – so we can move to more pressing matters.

The DEPUTY SPEAKER: On the point of order, imputations against members are disorderly. Continue the debate on the procedural motion.

Michael O'BRIEN: Thank you, Deputy Speaker. Corruption is more important, with great respect, than heritage legislation, because when we have a corrupt government it means that people do not get their needs met. It means that hospital waiting lists blow out, it means that potholes do not get filled, it means we have a justice system which is crumbling, because the eyes of the government are off the ball. They are more interested in themselves than the people. That is the absolutely most important thing. Governments are elected to govern for the people, for Victorians, not for themselves, and whether it is the actions of the Assistant Treasurer, which have been examined by this house over a number of weeks, or whether it is this question here which has been alluded to by the former IBAC Commissioner, we have a government that is not in it for Victorians. They are in it for themselves. We need to explore this now. That is why we need to suspend this debate and move to an immediate discussion about this outrageous behaviour of Labor MPs seeking to bully and do a political hit job on our independent anti-corruption commission.

Gary MAAS (Narre Warren South) (10:55): I rise to speak against the motion. We are debating in this house – quite frankly, it is wonderful to see these people turn up to work for a change. Look at them.

Members interjecting.

James Newbury: On a point of order, Deputy Speaker, this is not an opportunity for the member to get up and sledge the opposition. These are very important matters – very important matters – being debated today about corruption in this state, and I would ask you to draw the member back to the tight debate and the question.

The DEPUTY SPEAKER: I will rule on the point of order. The member for Narre Warren South to stick to the procedural motion at hand.

Gary MAAS: Thank you for your counsel, Deputy Speaker. I rise to speak against the motion. We are debating a very important bill on heritage in this state. If we are sticking to the procedural motion, not every party in this house has had the opportunity to contribute to that debate. So on this procedural motion, I say that every party in this house should have the opportunity to be heard before any debate is suspended.

Peter WALSH (Murray Plains) (10:56): Nothing could be more important than this house actually having oversight of executive government and decisions of an executive government and actually examining whether executive government is corrupt or not. I think the letter from the former commissioner clearly puts concerns out there that the current government, the Andrews government, has used their influence to try to subvert the functioning of IBAC by actually writing back to an independent auditor to say that a report needs to be changed. I think that is just blatant corruption in this state. And that is why this motion is so important. Yes, heritage is important, but those who are saying it is more important than corruption are defending the indefensible. This is about making sure that the motion moved by the Leader of the Opposition is successful and we can debate this particular issue because – I use the example quite often – it is like a boiling frog; it is creep, it is creep, it is creep. There is corruption coming into this state – soft corruption, hard corruption, not bags of money necessarily, but a nod and a wink.

John Pesutto: Not always.

Peter WALSH: Not always. And nepotism. It is about: I will cover your back, you cover my back, no-one else will know, and we will get ahead in life because we have mates in high places. This is about lifting the lid on the stench of corruption in this state, and that is what we are talking about. I think we all owe former Commissioner Redlich a vote of thanks for actually writing this letter and having the courage to write this letter. What I find offensive is the action since he has written that letter. That was sent to the Speaker and to the President with the very clear intention, as of my reading in the letter in the *Herald Sun* today, that it be made available to all incoming MPs. It is not about covering it up. It is not about holding it tight. It was written to the Presiding Officers of both houses so that it could actually be sent to all MPs, so that all incoming MPs would know his concerns about what has been going on in his five-year tenure of running IBAC in this state.

IBAC has been starved of money, it has had its powers reduced and it cannot do the job that it was originally set up to do by us when we were in government. And it is about bringing back the opportunity for IBAC to actually lift that lid on the stench of corruption in this state and make sure that Victorians know what is really going on. As others have said, corruption means waste of money, means the kids do not get schools built, roads do not get fixed, we do not have the things that we need in this state because there is so much money being spent outside the system in the graft and corruption that goes on in this state. So I would urge those on the other side of the house to actually support the Leader of the Opposition in his motion. If those on the other side of the house actually truly believe in the Westminster system of Parliament, truly believe in democracy and the rule of Parliament over the executive government, they would actually support the Leader of the Opposition's motion. When we

bring this to a vote, if those on the other side actually vote against the Leader of the Opposition's motion, they will be voting for a continued cover up.

Gary Maas: Give me a break.

Peter WALSH: The member may interject and say 'Give me a break'. If the member does not actually understand the differences, he has been part of the system now for too long and knows it is all about cover-up, and we need this letter to be made public to actually have a true examination of it. Let us move the debate to talk about what the Leader of the Opposition thinks is important for this state and support his motion. It is just so important that this motion is passed, because if this motion is not passed and is defeated by the government, it will show that the government supports the cover-up, supports the –

Members interjecting.

Peter WALSH: We hear faint ahs, from the other side, of indignation. If you have got nothing to hide, why are you frightened of this motion? I urge those on the other side to go to the *Herald Sun* website, get a copy of the letter, read the letter and see what their government has been accused of. I urge everyone to support the Leader of the Opposition's motion.

Colin BROOKS (Bundoorra – Minister for Housing, Minister for Multicultural Affairs) (11:01): A brief contribution to this debate on a procedural motion. This is just a stunt by those opposite: bring the media in, interrupt the business of this house –

John Pesutto: On a point of order, Speaker –

Members interjecting.

The SPEAKER: Order! Member for Wendouree! On a point of order?

John Pesutto: Speaker, I was waiting for the house to quieten down.

Members interjecting.

The SPEAKER: Order! There is too much toing and froing across the chamber from both sides of the house.

John Pesutto: Speaker, my point of order is that my motion is quite narrow. It relates to the urgency that attaches to former IBAC Commissioner Robert Redlich and the letter he has sent to you and the President in the other place. I would ask that you draw the minister back to the motion I have moved and for him not to cast aspersions on those of us opposite but to deal –

Members interjecting.

The SPEAKER: Order! Can you be succinct with your point of order, Leader of the Opposition?

John Pesutto: with the merits of my motion.

The SPEAKER: On the point of order, there is no point of order. It is a question of debate.

Colin BROOKS: I tell you what, the member for Bulleen would have done a much better job of this. The member for Bulleen would have been all over this.

Members interjecting.

The SPEAKER: Order! It must be Thursday.

James Newbury: On a point of order, Speaker, the former Speaker should know a lot better than to behave like that in the chamber, and I would ask him to reflect on his behaviour.

The SPEAKER: Order! The Minister for Housing will speak to the motion before the house.

Colin BROOKS: Thank you, Speaker. In replying to the debate put forward by those opposite in this motion, it is very, very hard to cop some of the lessons over the table we got just then from the Leader of the Nationals on integrity and nepotism and the Westminster system. I remind the Leader of the Nationals about the Office of Living It Up – cronyism, jobs for mates –

Members interjecting.

The SPEAKER: Order! The Leader of the Nationals will come to order.

James Newbury: On a point of order, Speaker, this is a direct breach of the conventions of this place. What the minister is doing is outrageous, and I would ask you to bring him back to the tight procedural debate which he has not yet spoken to. We are 3 minutes into his contribution. He has not yet spoken to it, and I would ask you to bring him back to the debate.

The SPEAKER: Minister, I ask you to come back to the motion before the house.

Colin BROOKS: Thank you, Speaker. I do not support the motion.

Tim READ (Brunswick) (11:05): I rise to speak briefly in support of the motion. While heritage legislation is not unimportant, the Greens are going to waive their right to speak on this bill, because this matter is just so much more pressing. It was very clear –

Members interjecting.

The SPEAKER: Order!

Tim READ: The outgoing IBAC Commissioner was very clear in his expectation that the letter in question would be made available to all members, and therefore we think that this is an urgent matter. We assume that the subject matter of the letter touches upon the membership of the Integrity and Oversight Committee, which has a government majority and a government chair. It simply does not make sense – it cannot be justified, and you could not explain this with a straight face in any other jurisdiction – for a government-dominated committee to be responsible for oversight of the government. The natural history of government IOC members to then go on to become part of – often as ministers – the government that the committee is trying to hold accountable also does not make sense. In fact for all I know, some of them, if we think about it over the longer term, will probably have to go off due to an ‘IBAC’ injury. I feel as though it is critical that we debate the question of the non-receipt of this letter from the outgoing IBAC Commissioner. I feel as though that is more important than the certainly somewhat important heritage legislation, and therefore the Greens support this motion.

Assembly divided on John Pesutto’s motion:

Ayes (32): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O’Brien, Michael O’Brien, Kim O’Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, Ryan Smith, David Southwick, Bill Tilley, Bridget Vallenge, Peter Walsh, Kim Wells, Jess Wilson

Noes (52): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Motion defeated.

David SOUTHWICK (Caulfield) (11:14): As I rise to speak on the Heritage Amendment Bill 2023, it is appalling that we have to return to this after seeing a gagged debate on probably the most important thing that we could be talking about in this house: corruption. Corruption issues which the Premier himself did not even front today to vote on. That is absolutely disgraceful and appalling. I cannot think of anything that we should be debating more right now in terms of integrity issues and corruption issues in the state. Never mind, we will move on and discuss the heritage bill, which we are now returning to. There are a number of things that are missing in this bill that are very, very important in terms of ensuring we strengthen heritage protections. It is interesting that during that last debate to adjourn off the heritage bill a number of people were talking about the importance of this particular bill. Well, let us differentiate between the importance of heritage and the importance of the actual bill, because yes, while heritage is important, a lot of the stuff that we have got in this bill is quite procedural, whereas what we were about to talk about was something that was crucial to each and every person's role in this Parliament, and that is integrity issues – corruption issues. Really there is no more important thing that we should be talking about, and Victorians who are listening in at the moment would probably want us to be ensuring that we talk about that as a priority rather than the heritage –

Gary Maas: On a point of order, Acting Speaker, on relevance, the member for Caulfield is 2 minutes into his debate and he is speaking about a previous procedural motion. I would ask you to bring him back to debating the actual bill at hand.

David SOUTHWICK: On the point of order, Acting Speaker, I was pointing out that the content of this heritage bill is by and large procedural changes to heritage and therefore I was giving the context in terms of that and other things that we are generally dealing with.

The ACTING SPEAKER (Bronwyn Halfpenny): Member for Caulfield, I ask you to come back and talk on the bill.

David SOUTHWICK: Thank you very much. As I was referring to in terms of this particular heritage bill, there are a lot of missed opportunities in terms of what should have been included in this particular heritage bill. Again it goes to the core of what this government does when it comes to cover-ups. I want to specifically refer to issues around heritage and cover-ups when it comes to issues around Caulfield Racecourse, which is a racecourse where the Minister for Planning overruled controls on a development and literally through the light of day allowed a number of significant trees to be cut down and forced the local community, including the Glen Eira Historical Society, to act to ensure they got interim heritage protection on the racecourse and now further protections on that racecourse. What this shows is that this government will go to any lengths to actually intervene on things that effectively are contrary to what the public want. We have seen that just in the last discussion we have just had around corruption and we are seeing it with heritage. It shows that this is a government that is just not fit to govern because they effectively –

Sonya Kilkenny: On a point of order, Acting Speaker, on relevance, I do ask that you direct the member to come back to the bill before him.

David SOUTHWICK: On the point of order, Acting Speaker, this is a heritage amendment bill, and my point of order was specifically around the lack of heritage protection at Caulfield Racecourse Reserve and the failure of a previous planning minister to act.

The ACTING SPEAKER (Bronwyn Halfpenny): On the point of order is not to just repeat your argument. Do you have anything else to say on the point of order?

David SOUTHWICK: That I am in fact being relevant, because it is about heritage protection. This is a heritage bill, and I am talking about heritage protection and a failure of a previous minister to act, so I am being relevant.

The ACTING SPEAKER (Bronwyn Halfpenny): I uphold the point of order. Can you get back to talking on the bill.

David SOUTHWICK: That is bizarre, but I will continue. This is a heritage amendment bill, and the heritage amendment bill has not specifically covered some very, very important parts in terms of that heritage when it comes to how we protect and how we execute heritage within the state.

This comes to the core of ensuring that councils, that the Victorian public, are able to protect very significant areas – whether it be pieces of land, as it is in my particular instance, as I am referring to the Caulfield Racecourse Reserve. We also have other significant areas in Elsternwick as well. We need to ensure we have that protection, and that is fundamental to that. We have not seen that upheld, certainly when it comes to the Caulfield Racecourse Reserve, where we have seen a number of heritage trees destroyed at the racecourse as part of redevelopment. Now a heritage order has been made to include the racecourse in the Victorian Heritage Register. After considering the executive director's recommendations and submission and conducting a hearing into the submissions, the Heritage Council of Victoria determined that the complete racecourse would be covered. This was done not by the government but by the Heritage Council of Victoria and the community. It was because of the failure of the government, the failure of the previous planning minister, to actually act and to do something to protect something that is very significant within our community. It is a significant piece of land, when you are looking at the racecourse itself, and it has not been protected. Buildings have not been protected and trees, including a Lone Pine tree, have not been protected – and in fact that tree was being cut down. And there is the appalling nature by which, as it was reported in January 2022, this was all done over Christmas – where a planning execution was done by the previous planning minister without proper consultation, without proper knowledge and certainly overruling, effectively, the will of what was intended in terms of the community.

You will not find a better example of where the community sentiment and very old buildings and trees have not been protected because of the government's failure to act not only in terms of not having the legislative cover but also in terms of where you have got a former planning minister exerting their authority and signing off on something without having those proper controls in place, effectively destroying the heritage nature and composition of our community. We cannot continually have it left to the community to have to step up when the government has failed. The government continues to do things when it suits itself, but it certainly does not do the right thing when it comes to protecting the community.

Barbara Hoad and the Glen Eira Historical Society did step up. Barbara Hoad and the Glen Eira Historical Society should be commended for the work that they did in terms of managing this process, and many of the community around the Caulfield Racecourse Reserve also stepped up during that very crucial time – and the minister failed in terms of their action. The minister for the environment also failed, because this is a significant piece of land; we have got a Caulfield Racecourse Reserve Trust that was created by an act of Parliament. It was put before the Parliament here to protect these various buildings, to protect the actual racecourse reserve, and there was a failure.

Sonya Kilkenny: On a point of order, Acting Speaker, I do ask that you bring the member back to the bill before us. This is a heritage amendment bill that is looking at exclusion applications and at making heritage council hearings more accessible to the public via online applications and the publication of material online. It is a very discrete bill, and I do suggest that the member for Caulfield is really straying into territory not covered by this bill.

David SOUTHWICK: On the point of order, Acting Speaker, this particular bill is very much about heritage protection. This is heritage protection when it comes to the Caulfield Racecourse Reserve, and that is what I am standing up for.

Gary MAAS (Narre Warren South) (11:25): It gives me great pleasure to rise to make a contribution to this very important bill, the Heritage Amendment Bill 2023. It would be slightly remiss of me not to make a couple of comments after the apparent rewriting of history by the member for Caulfield. The truth is that we actually know what the opposition's record is when it comes to planning. For those of us who drive through Fishermans Bend –

David Southwick: On a point of order, Acting Speaker, I would ask you to bring the member back to the particular bill. As the Minister for Planning, who is at the table, has said, it is a very narrow bill –

The ACTING SPEAKER (Bronwyn Halfpenny): There is no point of order. I do not know what the time is, but I think we are about 2 seconds into the speech.

David Southwick: Acting Speaker, I think I am –

The ACTING SPEAKER (Bronwyn Halfpenny): I have ruled on the point of order.

David Southwick: I have not said my point of order, Acting Speaker. I have not had the opportunity to.

The ACTING SPEAKER (Bronwyn Halfpenny): Is there anything other than saying 'Bring him back to the bill'?

David Southwick: I ask you to bring the member back to the bill. It is not an opportunity to attack the opposition but to talk specifically on –

The ACTING SPEAKER (Bronwyn Halfpenny): I did rule on that aspect of the point of order. The member for Narre Warren South, if you could continue speaking on the bill.

Gary MAAS: Thank you. By way of contrast, when we look at the opposition and their record, as I was alluding to, let us just take Fishermans Bend as an example. We all remember that pockets of land – very large pockets of land – were actually mysteriously bought by several, well, friends of the Liberal Party, really. And then later –

David Southwick: On a point of order, Acting Speaker, on relevance, as the Acting Speaker ruled a number of times in terms of being relevant to specific heritage matters on the previous contribution, I ask you to do the same on this particular contribution by the member. His contribution has nothing to do with the specific heritage matters that we are talking about today. I ask you to bring him back to the bill.

The ACTING SPEAKER (Bronwyn Halfpenny): Member for Narre Warren South, if you could come back to speaking on the bill.

Gary MAAS: Thank you for your guidance, Acting Speaker. I could speak about this all day, and by the looks of the clock that may well be. I will come back by way of comparison to speak to the opposition's record, but as this is an important bill, I would like to make the point that there are several operational improvements that are being made to the Heritage Act 2017, and it is great to see that the opposition is supporting this bill. Key changes relate to the processes for issuing heritage permits, consents for archaeological sites, and entering places and objects into the Victorian register.

The amendments themselves will improve heritage outcomes and make it easier for people to engage with heritage in Victoria. By way of example, the amendments remove the requirement for the executive director to obtain consent from the Heritage Council before serving a written notice to show cause on an owner. This will allow action to be taken more quickly when there is evidence a property is at risk from neglect. The bill will enable minor permit amendments without requiring the applicant to pay a fee so that works or activities proposed by the application are less harmful to a registered place or object or deliver improved heritage outcomes. The amendments will increase certainty for owners – for example, by notifying them of decisions sooner and within set time frames – and the amendments will make it easier for communities and stakeholders to participate in heritage processes. Having

online access – and amendments are being made to allow for this – will make it easier for community members to ensure that their views are heard. Changes in the bill will also prevent notification permits and other key documents over the Christmas period, when members of the community are less likely to be able to engage, and additional time has also been given through the bill for responsible authorities and councils to make submissions in the permit process. The bill builds on our record of protecting heritage sites across Victoria.

The point has to be made how extraordinary it is that the great protectors of heritage sites, the very vocal ones in this house, just recently, not more than 15 minutes ago, said they have forfeited their right – the Greens political party have forfeited their right – to speak on this bill, which I find absolutely extraordinary. There is some kind of really, really strange Liberal-Greens alliance which is going on in this place. When it comes to heritage it is only the red team, it is only Labor, who will protect heritage and get that fine balance right with further development in this great state.

If you look at our Living Heritage program, we have provided some \$60 million in funding to protect Victoria's significant heritage places since 2016. Earlier I was listening to the member for Laverton, and whilst we might look at the economic benefits of these sorts of programs, which are improving buildings across the state, it is actually the sentimental value that goes with all of that as well – the memories that all of us have that are preserved within us from spectacular places where we have been across this great state. The funding of that has supported some 185 conservation projects across Victoria, with over 130 completed already.

Special to me, and I am sure to you, Acting Speaker Halfpenny, is the Victorian Trades Hall over on Lygon Street, probably one of the better buildings in this great state, preserving workers heritage and all their achievements, including the 8-hour day, which is a phenomenon around the world but actually started here in Victoria. To make sure that there is funding that has been made available to go to that place is just extraordinary, and for anyone who has not been there lately, do yourself a favour and get down there, because it is looking really tremendous. And we must thank the conservative government at the time, who did actually put them down in that place. They were supposed to occupy a really, really small patch of land just down the road from Parliament, but the conservative government at the time said, 'No, no, no. You go over there. You go down to Lygon Street', where the building now has just a magnificent view over the whole of the City of Melbourne – a really fantastic thing and some great foresight by the conservative government at the time.

There is money which has gone towards the conservation works at the Queen Victoria Women's Centre, the Ballarat Mechanics Institute and the Hamilton Botanic Gardens too. We have also strengthened protections for buildings with local heritage protections following the illegal demolition of the Corkman hotel. Indeed at this point I will also note that during the last election campaign – some 12, 13, 14 weeks ago that ended now – this government made a commitment to developing a new planning overlay that will protect the use of live music venues for specific cultural purposes. It is only this government, it is only Labor, that will keep building on the cultural capital that these heritage-type places have to ensure that further cultural progress, be it through live music, through dance, through plays – whatever – will continue in this great state.

The bill itself will improve the operation of the Heritage Act and will keep building on our government's record in planning for Victoria and managing the growth of our state while ensuring that Victoria's best features are protected and enhanced. As I was alluding to earlier, we do know the record of those who are opposite, whether it is Ventnor, whether it is Fishermans Bend or whether it is those great skyscrapers that we see in the sky.

A member interjected.

Gary MAAS: Very touchy.

Sam Groth: On a point of order, Acting Speaker, the member has been going for quite some time, and I gave him quite a lot of leeway, I would think, before I got to my feet to speak, on everything. It is not an opportunity to attack the opposition, and I ask you to bring him back to the bill.

The ACTING SPEAKER (Bronwyn Halfpenny): I do not uphold that point of order. The member for Narre Warren South has been speaking on the bill for the majority. There has been leeway given to the opposition.

Gary MAAS: Thank you, Acting Speaker. Even at a local government level in my community, the City of Casey, we have seen so many inappropriate developments occur. We now see three- and four-bedroom houses on really small blocks of land, which has created the big squeeze in that outer south-eastern corridor. And they have not learned their lesson – it was only a few years ago they were promising to fast-track some 300,000 homes in the already under pressure outer suburbs. When it comes to planning, Victorians just cannot trust the coalition, and when I speak of the coalition I am speaking of a new coalition, the green–blue alliance that we have.

The bill will improve the operation of the Heritage Act. In metro Melbourne we are guided by a planning blueprint, *Plan Melbourne 2017–2050*. That plan supports jobs, it supports housing, it supports transport and it supports building upon Melbourne’s legacy of distinctiveness, livability and sustainability. You know what? Skyscrapers shooting out of the sky in South Melbourne do not fit. They just do not fit within that picture. Our nine regional partnerships are ensuring that local communities are front and centre in planning for the future of the regions. We have protected and enhanced Victoria’s best features, with stronger protections for heritage buildings and new protections against overdevelopment across Melbourne, including important landscapes in Surf Coast, Bellarine, Bass Coast and Macedon Ranges. We are also streamlining the planning process by cutting unnecessary red tape, increasing Victoria’s housing supply and creating thousands of jobs.

I note that the Minister for Planning is at the table. I would like to thank her and her predecessors for the hard work that has gone into putting this reasonably non-contentious bill before the Parliament, and I wholly commend the bill to the house.

Bill TILLEY (Benambra) (11:37): I rise to make a contribution on the Heritage Amendment Bill 2023. As a number of other speakers have said, it is a fairly straightforward bill. It is practical, but of particular relevance to me as the current sitting member for Benambra and my constituents is the addition of exclusion determinations. Pulling that apart a little bit, I will get to the point, but as we go through the history –

A member: Get to the point, Bill.

Bill TILLEY: Yeah, good on you. See you, mate. As I understand it, applications are likely to be made where there is some possibility that a place or object has some heritage value or where that remains unclear. As we have heard in this place, the process will allow the significance of the heritage place or object to be established or considered in the planning stages of a project, and I am glad to see that the Minister for Planning is at the table. I thank her for the other matters that we are working on, and hopefully we will come to some resolve on that in the near future. But this is an important part as it relates to our local communities.

The important question really is: what is heritage? Taking you back to what the member for Laverton and the member for Narre over there – I am not sure whether he is Narre South or –

Gary Maas: South.

Bill TILLEY: south, thank you; Narre South. They were talking about romanticism and talking about a thing, Ned Kelly. Let me remind you that heritage has to recognise that Ned Kelly was a police murderer, a horse thief and a cattle duffer. He is not something bloody romantic. No wonder he was hung by the neck in the Melbourne Gaol, and similarly the other romantic figures. We have got to recognise heritage for exactly what it is and tell the truth, warts and all. Recently we were talking about

brumbies, for example – there is real turn of foot and we are seeing some real mongrels. They have got to be controlled. The brumbies have to be controlled, but there is heritage value. They were instrumental during World War I with our mounted infantry. They were equine soldiers that were rounded up, trained and sent off with the mounted infantry, and they never came back, apart from one. We need to recognise the heritage value in things as well. The thing is that this Labor government would sooner shoot the bloody things off the skids of a rotary wing aircraft rather than recognise the heritage value of brumbies.

Getting to the point – and I am sorry I probably got off it a little bit, but these laws apply to those places on the heritage register and heritage inventory. But the question is: what happens to smaller communities and regional communities around Victoria? Once again, as the member for Laverton said, travel regional Victoria – come and see the real history. Now, this is where I am going to get myself in trouble. In Beechworth, the north-east of Victoria, they are real – not like the movie set in Ballarat we keep propping up all the time. I got in some trouble about that some years ago, and there is heritage value there, but the real stuff is in and around north-east Victoria. I look forward to the commentary that will come back to me over that.

Significantly, small communities need things, and I will talk a little bit about the turf club in Wodonga and some of the issues that have been raised concerning that, and they should be concerns of this government and the minister. The blanket protection goes with little guidance or direction. The Gordon White Grandstand at the Wodonga racecourse is the point that I want to get to. This building was condemned more than a year ago. Red tape – and there is tape right around the bloody thing – prevents patrons from even stepping on the first riser of the stairs to the grandstand. Wodonga turf club is a shared area with a number of community organisations, and this grandstand is significantly dangerous. But there are plans – good plans – for the future for that precinct. So you cannot use it. The suspended slab and the supporting posts in the timber frame are rotting. The main timber beam in the roof is twisted and out of shape. The building is skewed, perhaps caused by moisture in an embankment build-up on the grandstand.

I want to include in this contribution for the record that there is a town planning report by Habitat Planning investigating potential fixes. Found at page 12 of that report is a raft of issues:

The structural assessments have investigated potential options for repair of the structure. It recommends removing the soil from the front of the Grandstand and constructing a retaining wall to allow drainage away from the structure. An assessment of potential moisture damage to this section of the structure can only be made after the soil has been removed and stabilised. The damage to the structure from moisture ingress may be irreparable.

If, after the rotting timber has been replaced, the cracked concrete slab is topped, the earthworks and the retaining wall constructed and any potential moisture damage is assessed, the report also recommends further brick and/or steel reinforcement and buttressing to halt any further skewing. This involves significant works in and around the structure to achieve.

It has also been noted that further works will be needed within the structure to meet disability discrimination act compliance measures and that these will require physical intervention to the structure.

While the report outlines how the Grandstand might be repaired, there are expected to be ongoing maintenance and repairs required to the ageing building which will not likely be cost effective.

There have been three grandstands that have burnt down or fallen over. This one was constructed in 1926. This is the third iteration. It is heritage for heritage's sake. Getting to the point here, it is that there is next to bloody no heritage in this, but they are using it in the planning stages to block future community benefits. This is an absolute case in point. It is an Edwardian style replacing a grandstand built near the finishing line at Wodonga. There was an earlier grandstand from the 19th century, but it was built in 1926. There have been so many add-ons. There have been volunteer efforts to try and cover all this over. The thing is, what has happened in Wodonga with this is the turf club wants to enhance the precinct, enhance the experience and create a convention space in Wodonga which we do not have. All our groups, everything from the arts –

Katie Hall: You have got a beautiful arts centre.

Bill TILLEY: You are going to have to speak up. I have got my hearing aids turned down. But anyway, we will catch up later.

But the point I am making is that council officers who have opposed this want to commit the Wodonga council to spending \$1.5 million just to put lipstick on this pig with no guarantee of enhancing it or saving it – the bloody thing might still fall over – but hiding it under heritage is certainly wrong. They have not brought it before the council. The council has not even considered it. The turf club can take it to VCAT and try and fight this out, but these community groups –

Members interjecting.

Bill TILLEY: Yes, go on. I hope you have been taking notes on this.

Sonya Kilkenny: On a point of order, Acting Speaker, I really appreciate the member's local advocacy and passion for his community, but I would ask that he come back to the bill. The matters he has raised are matters that are probably more for his local council than of state significance and part of this bill. We appreciate all of the commentary here, but I would ask that the member be brought back to the bill.

The ACTING SPEAKER (Bronwyn Halfpenny): I ask the member to come back to the bill.

Bill TILLEY: I am coming back to the bill. The point in the bill is what exactly defines heritage, and that is the point I have been making through this contribution. And yes, I appreciate it, so expect a significant amount of mail coming from Benambra, Minister. I will be looking for your further guidance on those matters as well.

I would argue that this is all a good start, but obfuscating in council offices, creating problems that should not be there and wasting ratepayers money is the wrong way to go about heritage. The council overlays should not be misused, as I believe they are in this case. I would argue that this bill is a start, but we need to look at these localised issues and a better way to assess heritage values and the merit of heritage overlays and how they are managed.

Sonya KILKENNY (Carrum – Minister for Planning, Minister for Outdoor Recreation) (11:47): I would like to move that the debate be now adjourned.

The ACTING SPEAKER (Bronwyn Halfpenny): You have already spoken on the bill, therefore you cannot move the adjournment of the debate.

Paul HAMER (Box Hill) (11:47): I also rise to speak in support of the Heritage Amendment Bill 2023, which, as we have heard, seeks to amend the Heritage Act 2017.

The Heritage Act 2017 established the heritage register, which provides protections for historic places and objects of state-level cultural heritage significance in Victoria. It also established the Heritage Council of Victoria, the independent statutory body which decides which places or objects are added to the register and provides advice to the Minister for Planning. Further it established the Heritage Inventory, a list of all known historical archaeological or potential historical sites in Victoria.

The intent of the bill before us today is to improve and streamline the operation of the Heritage Act and respond to issues that arose particularly during the pandemic. In 2020, when restrictions prevented public movement, Heritage Victoria and the heritage council could not make documents available for the public to view in person at their offices, which is a current requirement of the Heritage Act. The bill allows for notices and documents held by the heritage council and the executive director to be available for inspection in person as well as online. These changes will allow publication and document inspection requirements to be met in a more modern and more flexible manner, which will minimise the potential disruptions that we saw during the COVID pandemic.

The amendments will also allow the heritage council to conduct its hearings online by audio or audiovisual link, which will help boost engagement and ease participation. The bill will also prevent notification for permits and other key documents over the Christmas period when community members may be less able to be engaged. The changes will fundamentally modernise existing processes, enhance public access to statutory documents and make it easier for people to engage with the important heritage processes in Victoria.

The Box Hill district has a rich history, with many overlapping stories that make it the unique place that it is today. The Indigenous and traditional owners' relationship with the land extends back 40,000 years. Subsequent early European settlement predates the gold rush, and many of the buildings date from the 1800s. The Box Hill area also gave rise to the Box Hill artists' camp, which many people would know better as the Heidelberg School, but before they went to Heidelberg they actually were at Box Hill, down in Box Hill South along the banks of Gardiners Creek. Given that it was International Women's Day yesterday I wanted to salute one of the women of the Box Hill artists' camp. Many people have heard of Roberts and McCubbin and Streeton, but fewer have heard of Jane Sutherland, who was a member of the Box Hill artists' camp. As was the practice in the day, she could not actually stay and overnight at the camp. She had to take the train each day to participate in the camp because no women were allowed.

There are many buildings and artefacts that continue to be part of the fabric of Box Hill and stem from a rich multicultural, commercial, faith, pastoral and wartime history. We have also got the living heritage. The Box Hill district includes the fabulous Wattle Park, and within Wattle Park one of the descendants of the original Lone Pine tree stands. A pine cone that had been taken from the Lone Pine tree at Gallipoli was, for want of a better word, maybe smuggled or pilfered back from the fields of Gallipoli.

A member: Acquired?

Paul HAMER: Acquired. It was propagated from that. From that cone, four Lone Pine trees were propagated, of which I believe only two survive, one down in the Warrnambool Botanic Gardens and one at Wattle Park in Burwood. All of the other Lone Pine trees that are available for sale or are at other war memorials across the country stem from one of those four pine trees.

There are also a number of sites within the Box Hill district that have state-level cultural heritage significance and have been placed on the Victorian Heritage Register, and they include the Box Hill brickworks, Wattle Park – as I mention, with its link to the Gallipoli campaign – the Blackburn War Memorial, Blackburn Lake and the Box Hill Cemetery Columbarium and the Myer Memorial, Box Hill Cemetery being the resting place of Sidney Myer.

History can be an elusive creature. It does not make itself readily known, and it must be pursued and identified and interpreted by those who know how to look. We are indebted – indeed we all are indebted across the state – to active and dedicated local historical societies. In Box Hill we have got two very active local historical societies, the Box Hill Historical Society and the Surrey Hills Historical Society. I just want to call out and acknowledge the activities of a number of individuals in those historical societies. In the Box Hill Historical Society are Helen Harris OAM and Gary Presland, and Sue Barnett is from the Surrey Hills Historical Society. This is where the importance of having access to information and that additional provision of that information online and not having to go and explore it in person is going to be so important. It is so important to particularly some of these volunteer organisations that naturally have less resources but have the ability and the availability of materials provided through the Heritage Council.

I do want to relay one particular story. I utilise the resources of the Box Hill Historical Society very, very frequently. As some members of the house might know, every year I put forward an award at our local schools for recognition of STEM achievement. I wanted to name it after a local pioneer in STEM. It was very difficult to find a name. I did find a single name that I came upon in a *Wikipedia* article. I

am not really one to trust *Wikipedia* necessarily on all the facts and figures, so I went to the historical society and the historical society were able to provide me all of the information, right down to when the individual had moved into the area, the house that she had moved into, even down to the rates notices from every single year dating back to 1954, from the time that she had moved into the electorate. They are an amazing resource, our historical societies, and certainly the provisions in this bill allowing better access to information are going to be of terrific benefit to those organisations.

There is also an important element in this bill which seeks to provide for exclusive determinations. Under this bill exclusion applications will be allowed to provide government agencies tasked with delivering major projects greater certainty of their obligations under the Heritage Act. Under current legislation there does remain a risk that some major projects might be disrupted or delayed just following the receipt of a new nomination or new information. The process in this bill will allow for an early identification of potential heritage impacts so that a determination can be made one way or the other as to whether it is likely to be impacted by heritage or conversely may not be impacted by heritage and then the project can proceed as planned.

Safeguards are built into this process to ensure that heritage is appropriately protected by assessing the applications for exclusion against the same threshold as the applications for inclusion. I think these amendments do strike the right balance between preserving that which cannot be replaced in the form of cultural heritage but also safeguarding the delivery of major projects. I commend the bill to the house.

Martin CAMERON (Morwell) (11:57): I rise to speak on the Heritage Amendment Bill 2023 and I am pleased to do so. As someone who has been involved in the plumbing trade I know only too well issues that can occur. I actually thanked the member for Croydon when he delivered his opening speech, and I think he covered all bases about the amendments that are going into the Heritage Act 2017. He did a great job there. I feel we do not have to continue to talk about these issues because he so eloquently put them to everyone who was here. As he said, we do not oppose the amendments.

For anyone who has had to access information on heritage matters – that is, builders or developers, or just even the general public – the system, I found when we had to do it, is very, very complex. A lot of the time for people from the regions it meant a trip down to Melbourne to actually talk face to face. It was very, very slow to get any action that we needed, and there was the frustration of it all, especially with cost blowouts. Every time a heritage issue was brought up we virtually had to stop work and get that issue dealt with, so it was very, very frustrating and time consuming. Also when you were relying on trades and other workers you would tell them all to go home until we got the issue sorted, and it could have been weeks or months before we got them back.

All care is taken, and I notice with the amendments that with big infrastructure – that is, roads and so forth – we can front end-end all the heritage matters that we presume are going to come up during the development. I think that is a great idea. It will make the progress of these big infrastructure projects run much more smoothly. But sometimes there are some little bits and pieces that pop up, which I will touch on shortly.

The amendment allowing actually fast-tracking the issues which may arise makes it a lot better. The online ability to get on the computer face to face with the heritage committee is going to save time and effort, so it is a win-win for everybody that way. There were a few concerns about being able to access buildings and so forth, but I think they are covered off. The new amendments take that into account, and I think that as long as people do not try to abuse these areas it is going to be better for the heritage issue for the amendments to come through.

As I said, in my time working as a plumber issues would pop up all the time. It is not just big infrastructure that we actually get to use this on, but as I said, there would be long delays as we waited for responses. With these amendments we can deliver an efficient, practical and effective heritage system with much-needed and quicker online response pathways. This will be greatly welcomed by everybody. One of the issues I had when I first started as a plumber was when we were working in a

school many, many years ago doing some renovations. The school was not heritage listed, but as we were working doing the renovations on the kitchens and toilets and rooms and so forth we came across some honour rolls, these big stone honour rolls that were on the wall. Now, we could tell that if these things were not heritage listed they needed to be, so the job was shut down for a time. I think it was about a month or so before we got back on board while it was checked out: 'Are these rolls actually heritage listed?' And yes they were. To be able to go nowadays on your phone and check the register online and make sure this is right and true is just going to make so much difference with time constraints and everything like that; we can just flow and get it all done. So the online part is going to be a big, big winner in my opinion.

Most people when hearing of something being heritage listed think of a building or a structure or a landmark. These structures are truly amazing, obviously, but smaller issues and hidden items are the ones that need to have that really, really quick response. Believe it or not, we once stopped for a tree – not a pretty tree, by the way; it was an azarole hawthorn tree, a heritage-listed tree, but we had to stop work. Now, I love all things Hawthorn, especially the ones that run around in the brown and gold –

Danny O'Brien: No.

Martin CAMERON: Yes, Danny. We actually love those.

The problem had to be sorted out. It did take months and months and months to sort this issue out, but you know with these services and not having to come to Melbourne to front committees and stuff like that, being able to access it all online is just going to make it so much more appealing for everybody. With the proposed amendments to the procedure to identify a problem, it is going to be swift, it is going to be more cost-effective and it is definitely going to be more time-effective.

Not far from where I live is a place called Walhalla, probably about 40 minutes from Traralgon, and it is a magnificent place to visit and stay. Most of this place is heritage listed, and if you go up there you can get a feeling for days gone by. Now, out of these buildings shops now operate and accommodation, and it just goes to show that in protecting our heritage-listed buildings we can also purpose them for the current-day needs of our travellers and visitors to go up to these places and enjoy these facilities but also do it in a caring way where we are actually protecting the heritage-listed value of these buildings.

As I walked to work today – and let me say it is a very different walk to what I normally have had in the past – a lot of people were looking down on the footpath, looking where they were going. I tend to look up and look at the structures and the beautiful heritage that we have around here in the Melbourne CBD. There was a lot of construction on buildings that was going on today, and I just wonder back in the day how many delays would have been incurred as they were doing their works – their digging and stuff like that – not only because of what they found on sites but also because of what they were trying to protect on heritage-listing buildings that surround these sites. To be able to have access to these amendments I am sure is going to be of great benefit and value to the developers, and I can only talk about the positive things that I see with making these amendments available.

Also we have spoken about regional Victoria and all the great heritage-listed buildings that we have around the place. No matter where you are coming from into any regional areas, come and visit us and have a bit of a look and see. But for people – workers and developers – in these regional areas, as I said before, not having to come to Melbourne to get clarification and wait and wait and wait, to be able to continue on with the job, to be able to fast-track an answer and get some direction and clarification of what is right and what is wrong and what we can and cannot do, I think is a great idea. As I said, we are not opposing the amendments made by this bill.

Ros SPENCE (Kalkallo – Minister for Prevention of Family Violence, Minister for Community Sport, Minister for Suburban Development) (12:06): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023

Second reading

Debate resumed on motion of Ros Spence:

That this bill be now read a second time.

Gabrielle WILLIAMS (Dandenong – Minister for Mental Health, Minister for Ambulance Services, Minister for Treaty and First Peoples) (12:08): Under standing orders I wish to advise the house of amendments to this bill and request that they be circulated.

Amendments circulated under standing orders.

Emma KEALY (Lowan) (12:09): I rise today to speak on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. I also note that an amendment has been circulated by the government in regard to this legislation. It is a minor change in relation to clause 7, where ‘order.’ is omitted and inserted is ‘order; or’. And further, in clause 7, page 15, after line 11 there is the insertion of:

(e) a permanent care order.

This legislation is very similar to legislation which came before the chamber last year. It unfortunately did not carry through; it lapsed in the upper house due to the cessation of the 59th Parliament of Victoria. The Liberals and Nationals do welcome the legislation coming back into the chamber in this 60th Parliament.

From the outset I would like to acknowledge all of the Indigenous people in my electorate of Lowan. We have a fabulous and rich Indigenous culture. We still have amazing connections to country through the region. In particular, the Grampians National Park – or Gariwerd, as it is also called – is home to almost 80 per cent of the state’s rock art. It is an incredibly rich culture which is in our region. We nurture it, and we encourage the government to make further investments so that we can better protect those areas of importance but also so that we can share this rich Indigenous heritage and we can ensure that other people can learn from and experience it and give Indigenous people, particularly Indigenous children, a cause for pride in what their forefathers did in our part of the state.

This legislation does have a number of elements around particularly child and health legislation, although there are other subsequent changes. The bill amends several pieces of legislation, including inserting an Aboriginal statement of recognition and recognition principles relating to child protection in the Children, Youth and Families Act 2005. It also makes a range of operational changes to the Commission for Children and Young People. The bill replaces the Children and Health Legislation Amendment (Statement of Recognition and Other Matters) Bill 2022, which lapsed, with only minor changes. Briefly, those minor changes are legislating a series of so-called Aboriginal child placement principles, which were included in another lapsed bill which we were also determined to support, which was the Children, Youth and Families Amendment (Child Protection) Bill 2021. It also gives Aboriginal community organisations the power to investigate reports rather than having to refer them back to the department. It further removes outdated language, such as replacing the word ‘Aborigine’ with ‘Aboriginal and Torres Strait Islander person’.

The main purposes of the bill are to amend the Children, Youth and Families Amendment 2005 to include the Aboriginal statement of recognition and recognition principles relating to child protection decision-making for Aboriginal children; to incorporate further Aboriginal child placement principles, such as the recognition of the importance of ongoing connections to family, which are already adhered

to; and to make amendments relating to authorisations of principal officers of Aboriginal agencies. There are subsequent amendments which are really around providing better protections for children.

This is something that is incredibly important, because while we have set targets in accordance with the Closing the Gap priorities for the nation, unfortunately we have not seen outcomes which would reflect that we are moving ahead in closing the gap in those important elements of making sure that we have better outcomes for Indigenous people, that we try to ensure and do everything we possibly can to make sure that we have more children completing year 12, that we have better health outcomes and that Aboriginal people are looking at having a similar life expectancy to those who are from a non-Indigenous background. In Victoria in particular we are critically falling behind when it comes to target 12. Target 12 is in relation to the rate of over-representation of Aboriginal and Torres Strait Islander children 0 to 17 years old in out-of-home care by 45 per cent. This is an incredibly important target because we know that what children are exposed to in their formative years – in their early years in particular, from 0 to 4 – can have an incredible impact and make a huge difference to the outcomes for those young kids.

Unfortunately, in Victoria it is not just that we are staying stagnant in this terrible gap that we have got, we are actually increasing the gap. We are going backwards in Victoria. It is very, very disappointing to see the arrows pointing backwards when it comes to how Victoria is going ahead, and that is why I welcome this legislation. It just goes to show we need to do more, we need to do things differently, and while acknowledging past wrongs we also need to ensure that we focus on putting practical measures in place and put the effort in and the funding in place to ensure that we do substantially close the gap in all of the target areas that have been outlined by Closing the Gap.

For my part I am probably one of the few members of this place who has spent time in the Northern Territory where, as we see in the media now, there are some critical issues in regard to the gaps that are in place in outcomes between people of Aboriginal and Torres Strait Islander heritage and non-Indigenous people. I was there in the early 2000s, and it was absolutely heartbreaking to see particularly children who were not able to get the care that they required. But there really was not the appropriate support in place for individuals to break the cycle. It was very, very difficult, and of course we have now got that situation continuing. We have so much effort to go in this nation, so much work to do when it comes to closing the gap, and I do not think that there is anybody, certainly within this place, that would argue against that when it comes to health outcomes in particular but also educational outcomes, other socio-economic outcomes and even that connection to country for people who are not living on country any longer. We can do so much better, and we need to make sure that we do have appropriate and practical measures in place to do that.

I would like to commend the fabulous Indigenous organisations in my electorate because they do an outstanding job in advocating for better health outcomes and ensuring that there are particular protections in place for land and for country. I would like to particularly speak to Goolum Goolum in Horsham, Winda-Mara in Hamilton and also Budja Budja in Halls Gap. All of these organisations and the elders that assist in guiding them in the direction that they take do an absolutely fabulous job. They are able to be flexible in how they adapt to ensure that they are connecting with local Indigenous people and particularly focusing on Indigenous children and Indigenous women. I absolutely love being invited to any of their events because I know there will be a very unique perspective that looks at a problem with a different solution, and that is the importance of speaking to local people, of listening and of properly engaging in a way that is not just paying lip service but actually helping to empower Indigenous people to make their own decisions around their own lives and how they can make a difference in their own communities. I would also like to acknowledge Barengi Gadjin Land Council and Gunditjmara, both of which do an absolutely fabulous job in providing education for the community as much as doing great work to protect the land assets and the cultural heritage in our local area.

I would also like to highlight an area where I think we can do better in our part of the state. Over the summer break I like to travel locally. Perhaps while having a holiday you can go overseas or you can go interstate, but I actually like to keep it local and stay as close as I can to my local area. Given it is

about 20 per cent of the state, it still gives me a fair district to travel to. Over the summer break we did go camping down towards the south of my electorate. We took the time to go to Budj Bim, and the investment there is amazing in terms of how there is a translation of Indigenous heritage, culture and stories, how it has been presented to allow tourists to access that – and local people as well.

However, when I compare the investment that has been made at Budj Bim, I really would love to see a similar investment and approach when it comes to Brambuk cultural heritage centre in Halls Gap. Brambuk was established many, many years ago – decades ago – and unfortunately it does not bring that same level of communication, understanding and learning for tourists and for local people to be able to engage and understand our local cultural heritage in a positive way and a unique way. In fact Brambuk has now been handed back from the traditional owners in the area to Parks Victoria, and it really does need a significant investment. I think that there are massive opportunities in terms of investing in our local area to provide unique opportunities for local Indigenous individuals to tell their story, to talk about their heritage and to engage with the tourism sector and the many thousands of tourists that come to Gariwerd every single year.

All it needs is that investment. We have a budget coming up. I urge government to provide that investment to Brambuk but also to Winda-Mara, to Goolum Goolum and to Budja Budja. All of these organisations need key investment to make sure that they can continue to provide health services and other support services to their local people and to ensure that they can do all the work and continue their efforts in closing the gap. In many instances this is about providing an expansion of services, and they have run out of space. Certainly that is the case for Winda-Mara in Hamilton. Goolum fortunately will be expanding, and they are underway at the moment. Budja Budja is always close to capacity; I think as soon as there is another room added on they manage to fill it very, very quickly because they are so passionate about improving health outcomes for the local community and closing that important gap.

The important element of this legislation is really around addressing some of those key issues around the number of children in foster care and kinship care in Victoria. We disproportionately have an enormous number of Aboriginal and Torres Strait Islander children in care. This is not a fabulous outcome for these children. We need to ensure that we can wherever possible reduce the harms among children but keep them as close as we can to their culture and to their family and ensure that they have the best possible outcomes in life. This bill is a step towards giving vulnerable Aboriginal children the same protections as non-Indigenous children in care through greater powers for Aboriginal-led community agencies. The Liberals and Nationals have been calling for greater powers for Aboriginal organisations for years, so of course we support this legislation. When a similar bill came through Parliament in the last term the Liberals and Nationals were unanimously determined to support it.

In summary, this bill contains a number of amendments to a variety of legislation. We are very, very keen to see this through. Most importantly, the Liberals and Nationals are absolutely committed to ensuring we do what we can to retain Aboriginal culture and heritage, to ensure that we have good connection between Aboriginal people and country, to ensure that that knowledge and pride in culture is retained and passed on to future generations and to continue, while acknowledging the wrongs of the past, to focus in whichever way we possibly can on self-determination to help close the gap for all of those key targets, because we simply cannot continue to see gaps grow and become chasms rather than addressing the critical needs, particularly of younger Aboriginal and Torres Strait Islander children. I commend the bill to the house.

Gabrielle WILLIAMS (Dandenong – Minister for Mental Health, Minister for Ambulance Services, Minister for Treaty and First Peoples) (12:23): It is my pleasure to rise in support of the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023, a bill that very strongly demonstrates our government's commitment to embedding Aboriginal self-determination in the legislative framework of our state. It does this by making key amendments to an important series of acts which govern how we work with Victoria's First Peoples as well as their children and families. It is a bill that sits very firmly within a

context of the nation-leading journey to treaty and truth that this government is on, a journey of structural reform to drive better outcomes.

Something I emphasise a lot in this place when I am talking in particular about our path to treaty and truth – and truth-telling is a part of that – is that this not about symbolism. This is firmly about driving better outcomes, and we are all very clearly focused on trying to move the dial on those closing the gap targets. I suppose the clarity of thought that we have, particularly on the side of the chamber, is that treaty presents a clear opportunity and is a key vehicle for us to achieve that change that we need to see, to achieve that moving of the dial, because it is underpinned by a very simple proposition, which is that outcomes for Aboriginal people will improve when Aboriginal people have control of their own affairs. We have seen it work in a microcosm where we have chosen to do it in particular programs or initiatives, and this is really about stepping that up and addressing this structural disadvantage in a structural way and using truth-telling and treaty to that end.

We are very proud to be the first jurisdiction to enact all three elements of the *Uluru Statement from the Heart*, which are of course truth, treaty and voice. And our state will be taking even greater strides in the time ahead as we commence those substantive treaty negotiations with our First Peoples later this year. But this bill clearly demonstrates how we can balance meeting the acute reform needs of today while also ensuring that we do not limit the profound opportunities that stand before us through that truth and treaty process. We can walk and chew gum. That is very much a part of what this bill represents here today.

Obviously as the Minister for Treaty and First Peoples, it is a great privilege for me to be able to make a few remarks on it. Before I get to the heart of the bill and the elements I want to focus on, I just want to address the amendment that has been circulated and explain those changes. The policy intent of this bill includes that authorised Aboriginal agencies can make applications related to permanent care orders relating to children already authorised to those agencies. The house amendment that has just been circulated clarifies that section 18 reflects this intent and progresses towards full Aboriginal self-determination by clarifying the ability for authorised Aboriginal agencies to make applications for the full suite of intended orders. This will clarify that authorised Aboriginal agencies do not have to return authorisation of Aboriginal children to the secretary of the department to make applications related to permanent care orders. So hopefully that sheds some light on the intent behind those amendments that have been circulated.

Now to offer some remarks on key sections of this bill, particularly those that relate to my areas of responsibility and interest. I have already outlined that at the heart of this bill lie the principles of truth and self-determination and the broader context that that sits within, and it does this through the inclusion within the bill of statements of recognition that will be incorporated into the Children, Youth and Families Act 2005 as well as the Health Services Act 1988 and Public Health and Wellbeing Act 2008. The purpose of these is to acknowledge the lasting impact of racist laws, practices and policies on the health and wellbeing of children and families of Victoria's First Peoples since colonisation, but importantly also the impacts that continue to operate, sadly, to this very day, because we know that these impacts are not purely historic. We know that actions of the past continue to live on through our systems and structures and continue to do harm to this very day, which is also the very reason that the Yoorrook Justice Commission was charged with not only looking backwards at what had happened but also looking at the ongoing contemporary impact of that, so that we could move forward with a new way of doing things, so that we could effectively change and stop that ongoing harm that has been caused to vulnerable communities across our state.

So the statement of recognition will be placed prominently for policymakers within respective legislation in recognition of the historical importance of the statement of recognition and its importance of course for Aboriginal people. This has been something that has been asked of us by community, and hopefully, if I get time in the latter parts my contribution, I may get to outlining that little bit further.

I want also to talk in a bit more detail about those changes to the various pieces of legislation. In the health legislation amendments there are non-binding principles which will provide an important framework to support Aboriginal self-determination in health and wellbeing services and to guide organisations within that sector. Even more powerfully, the principles in the Children, Youth and Families Act will enact policy into practice and also guide decision-making by binding all decision-makers to approach their decisions for Aboriginal children through an Aboriginal lens. Further, this act will now include all five aspects underpinning the intent of the Aboriginal child placement principle – namely prevention, participation, partnership, placement and connection – and thus progress a key priority of the Aboriginal health and wellbeing partnership forum by enshrining commitments to Aboriginal self-determination in our health legislation.

Now, importantly, the bill also streamlines the authorisation process and expands the functions that can be authorised for Aboriginal agencies under the Aboriginal children in Aboriginal care program to work with a child across the investigation phase and when the child is subject to a protection order. By providing an Aboriginal approach to investigating child protection reports by Aboriginal agencies, there is a very strong potential to reduce the need for further intervention and to also reduce the number of Aboriginal children entering care, which as we have heard via the lead speaker from the opposition is, I think, a bipartisan objective in this place and something that we all want to see improve in the time ahead.

Provisions created by this bill also give Aboriginal community controlled organisations greater opportunity to work with Aboriginal children and families, and ultimately this is in recognition that Aboriginal people are best placed to lead and inform responses for Aboriginal children and families. As I said, this is a fairly simple proposition that by putting greater control of Aboriginal affairs into Aboriginal hands we will realise better outcomes. It is obviously also a conversation that we are having nationally at the moment, with the idea of enshrining in this nation's founding document recognition of our First Peoples and enshrining a process whereby Aboriginal people can have their voices heard on those issues that directly impact them.

We are at a very significant point in time as a state and as a nation in terms of how we reconcile with a past that has brought great pain and done great harm to our First Nations people and how we can, through that process, move forward with confidence in who we are and unencumbered by untold truths that we have held onto for far too long and that have continued to do harm and how we can meaningfully engage, hear from and work in partnership with our First Peoples to ensure that we are driving better outcomes and that we are finally moving the dial on persistently bad outcomes which we are at regular intervals reminded of through our closing the gap work.

Finally, I can hopefully get to acknowledging some key people and organisations who have made this change possible. These include the Victorian Aboriginal Children and Young People's Alliance representing Aboriginal community controlled organisations, the Victorian Aboriginal Child Care Agency, better known as VACCA, Rumbalara, Njernda and our very hardworking departments as well, all of whom were pivotal in the shared co-design of the Aboriginal statement of recognition and accompanying recognition principles. This is really a historical reform agenda that we are pursuing, and while this may all look very technical on its face I think we need to make sure that we are looking at this in the context of this bigger, broader and more powerful journey that we are on as a state, which of course sits amidst a bigger conversation that we are currently having as a nation and also that we can move towards a future where we are achieving better outcomes for our First Nations people.

Cindy McLEISH (Eildon) (12:33): I do not think any of us would disagree that one of the most important parts of our role as MPs and of the role of a government is to ensure children are safe, and child protection has not gone so well. I am pleased actually with some of the changes that are being looked at here to improve things in that area that I can speak to in this bill at the moment.

The bill we are referring to is the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. What it does is amend

several pieces of legislation. It includes an Aboriginal statement of recognition and recognition of principles relating to child protection in the Children, Youth and Families Act 2005 and makes a range of operational changes to the Commission for Children and Young People. When you hear the words ‘make a number of operational changes’ you think that that means and expect that that means we are going to do things differently and that this is the framework that is being set up to do things differently, because we all know that things need to be done differently. What is happening at the moment is not really working, to the point that I note in the minister’s second-reading speech that the Aboriginal and Torres Strait Islander community themselves know the system is failing those of their young children that are in child protection.

We have heard the evidence that was given at the Yoorrook Justice Commission hearing in December 2022 – that was not so very long ago – which brought into sharp focus the community’s concerns about the absolute over-representation of Aboriginal in the child protection system. On top of that, they were also very concerned about the extent of children being removed from the care of their families. So it is really important not only that we understand but that the community know that what is in place has not been working and that things need to change.

What this bill itself does is aim to progress not just to self-determination but to things that they can do to improve the system in stages that are going to overhaul the system so that it can be a much more an Aboriginal-led service delivery, because at the end of the day what we are looking for is improved outcomes for everybody, and improved outcomes are something we absolutely need. Part of the purpose here is to legislate a series of what is referred to as Aboriginal child placement principles. Now, this bill actually had lapsed. It was in the 59th Parliament, and it did not get through in the other place. We are seeing it come back almost in its entirety but with a little bit from another bill that we had seen as well. Also, this is to give Aboriginal community organisations the power to investigate reports rather than having to refer them back to the department and consequentially to remove outdated language, such as replacing the word ‘Aboriginal’ with ‘Aboriginal and Torres Strait Islander person’ and things like that.

But I want to give a little bit of a background here, because the government has committed to reducing the over-representation of Aboriginal children in the care system by 45 per cent by 2031, as signatories of the Closing the Gap national agreement. But in this endeavour the government is failing very badly, and I will go through some of the statistics shortly. In Victoria one in 10 Aboriginal children on any given day is in care. This is the worst rate in the country. It is really quite extraordinary that with the population that we have, which may not be as great as in the territories or Queensland or New South Wales, for example, we are having such an enormous over-representation.

The Commission for Children and Young People recently found that there has been a disproportionate increase in deaths of Aboriginal children in care in recent years, including 13 of the last 45 deaths in 2021. Most Aboriginal children in care are in what we refer to as kinship care with another family member – usually an aunty, grandmother, sometimes cousins – and I have seen quite a number of these arrangements in place, just through my work as an MP in an area which is fairly rich in Aboriginal heritage. The idea of kinship care, obviously, in this situation is so that they can maintain a connection to culture, because what I have heard previously is that when children are removed from the care of the Aboriginal and Torres Strait Islander community they lose that connection with their Aboriginality and with their heritage and do not have that opportunity to participate and understand how it really works. So 90 per cent of kinship arrangements are directly managed by the department – and I know that the union are pretty keen on having that stay in place – rather than a community agency, and I think this is important. Community agencies really have a much better track record of keeping children safe and safely reuniting children with their biological parents. The Auditor-General actually found last year that 84 per cent of the time department case managers did not carry out welfare checks of children in kinship care. For children in foster care it is a little bit different. They are managed by a staff member from a community agency.

The bill here is a step towards changing that, because we are talking about a number of very vulnerable children in vulnerable communities, and we really need the same protections as for non-Indigenous children in care through the greater powers of Aboriginal-led community agencies. This is certainly something we have been calling for for years – greater powers for Aboriginal organisations to actually become involved. Those in the house from last time may recall that this is a bill that we supported last time.

I have got some tables of statistics here that I do want to refer to, because the *Report on Government Services* shows that the rate of Indigenous children in protection has increased by 63 per cent. That is extraordinary. If you have a look at the statistics for this year, the rates have gone up absolutely astronomically. Victorian Aboriginal children are 16.1 times more likely to be involved in child protection compared with non-Aboriginal Victorian children. It is just extraordinary. I refer to the fact that we have signed the Closing the Gap national agreement, which includes a target to reduce this over-representation. I think that everybody should be appalled at the rate we have in this area. For kids in care there is a dreadful pipeline whereby so many vulnerable children move from child protection to youth justice, and that is just not what we want to see. We have to change that. It is just not good enough.

If I have a look at the statistics for children in care aged zero to 17 years by Indigenous status, the rate per thousand children in Victoria of Aboriginal and Torres Strait Islander children in this age group in care in 2021–22 was 102.2, compared to the next highest, which was South Australia at 92.7. In New South Wales it was 57.3. This rate of children in care is extraordinary, and it has been going up. If we have a look at where it was in 2010–11, it was 57.3, and now it is up to 102.2. In 2020–21 it was 103. These figures are just getting worse, so the government in their eight years have failed this community and these children so miserably. It is awful to read the statistics and to have a look at each year. I am happy to table these documents if members on the other side would like so they can really understand the failures of the community in this area and of these children. Having a bill like this, which is designed to turn that around – well, golly, it really does need turning around, because at the moment the ship is sailing in the wrong direction. As has previously been said, the coalition has supported a similar bill in what it looked like last time it was here, and we will continue to do the same this time.

Colin BROOKS (Bundoora – Minister for Housing, Minister for Multicultural Affairs) (12:43): It is a great honour to be able to speak on this piece of legislation, which is a significant step on the journey to reduce the over-representation of Aboriginal children and young people in our child protection and care system. I had the privilege of serving as Minister for Child Protection and Family Services for four or five months prior to the last election, and it gave me an exposure to a child protection and care system that I was incredibly impressed by, whilst acknowledging the difficulties and the challenge of our child protection practitioners' work, the system they work in and the families that they seek to support.

The sense of shared purpose around a direction for reform under the *Roadmap for Reform: Strong Families, Safe Children* is incredible. We have all parts of the system, all parts of the sector, working together to improve outcomes for children and families. That is backed in by significant investment. Over the last parliamentary term some \$2.9 billion was invested by the government to address improving those outcomes for children and young people, predominantly through shifting the focus from reacting to families and children in crisis and needing child protection to a more focused approach on early intervention and providing family support, so supporting families before they come into crisis and before children come into contact with the child protection system.

I think it is important for members considering this bill to reflect on not just the fact that there are significant challenges in the system – which there are, and we have a lot of work to do – but that there is a really sound policy direction that the sector is working on together with government, and significant resources are being applied to the problem. I am glad to see that there is a bipartisan approach in terms of the support for the bill in this chamber today.

In terms of the over-representation of Aboriginal children and young people, the key policy framework, the agreement, is Wungurilwil Gapgapduir. It is a three-way agreement between Aboriginal community organisations, broader community service organisations and government, all working together under the broader road map to reform to bring down that rate of over-representation, predominantly through adopting self-determinative models, which this bill goes to today.

I want to talk about some aspects of this bill. First of all, it is important that as we make these changes members are cognisant that the best interests of the child will always remain paramount. That does not change in the Children, Youth and Families Act 2005; it is an important principle. There are some really key pieces of this legislation I want to come to, but before I do there are some smaller yet still really important parts that I think are worth mentioning. The bill removes outdated language from the Children, Youth and Families Act, the Health Services Act 1988 and the Public Health and Wellbeing Act 2008. They are technical changes but important changes. Language is important, particularly when we are dealing with the way in which we approach Aboriginal culture, so it is important that that language is updated. It also allows for the Commission for Children and Young People to ensure that they can advocate on behalf of children that have been in the child protection or care sector – either in the system or recently in the system. That is a really important reform, one that the commission had been advocating for for some time. It allows them to engage with the departments and other service providers in the best interests of the children that they might be with dealing with.

I just want to take a moment to pause and to thank the commission. They do great work as an independent commission calling out areas where we can improve our service delivery and we can do better. They are passionate people. Both the principal commissioner Liana Buchanan and the Aboriginal children's commissioner Meena Singh are wonderful people – intelligent, articulate and passionate about the best interests of children – so I want to take the opportunity to thank them for their work.

One of the three key areas that I do want to focus on is that the bill introduces a statement of recognition, which members have spoken about. It is important, I think, for members, if they have not had the chance to look at the statement in the bill – it is contained in the bill – to have a look at it. It is important not only that we say these words and that we agree on them but that we are committing them to legislation. I will not read the whole statement out, but for those members that have not had the benefit, the statement of recognition says:

- (1) The Parliament formally recognises that Aboriginal people are the First Nations people of Australia.

We acknowledge:

- (a) the child protection system played a key role in the enactment of policies leading to the dispossession, colonisation and assimilation of Aboriginal people; and
 - (b) the laws, practices and policies of former child protection systems resulted in the removal of Aboriginal children from their families, culture and Country, by compulsion, in an effort to assimilate and extinguish their culture and identity.
- (3) The Parliament recognises the systematic forcible removal of Aboriginal children through the laws, practices and policies of the child protection system has substantially contributed to –
 - (a) a legacy of disconnection ...
 - (b) intergenerational trauma ...
 - (c) entrenched social disadvantage and dysfunction ...
 - (d) marginalisation ...
 - (e) a distrust of the child protection system.
- (4) The Parliament recognises that ongoing structural inequality and systemic racism impact Aboriginal people and culture in relation to –
 - (a) decision-making in the child protection system; and
 - (b) over-representation of Aboriginal children in the child protection system.

It is important for us to commit those words to legislation. That was just the first part of the statement of recognition. The bill also enshrines the five elements of the Aboriginal child placement principles into the Children, Youth and Families Act, which strengthens the importance of decision-makers in the system taking into account when making decisions prevention, participation, partnership, placement and connection.

I think one of the critical areas of this bill is the expanding of the functions under the Children, Youth and Families Act which can be delegated to an Aboriginal community controlled organisation. Two of the Aboriginal community controlled organisations that are leading this work will be able to not only provide care for Aboriginal children in a culturally appropriate way – so Aboriginal communities providing care for Aboriginal children – but to move into the earlier part of the child protection process, the investigation phase. It is so important that that is done in a culturally appropriate way.

I had the opportunity to attend an Aboriginal children's forum in Wodonga prior to the end of the last parliamentary term. The Victorian Aboriginal Child Care Agency presented on their community protecting boorais – an incredible piece of work – and they are looking forward to being able to do more work with Aboriginal children and young people once this legislation passes the Parliament. I do want to acknowledge the work that VACCA does and also the Bendigo and District Aboriginal Cooperative, BDAC.

As I said, there is already work that goes on in terms of the care of Aboriginal children and young people by Aboriginal community controlled organisations under the Aboriginal Children in Aboriginal Care program. That has already demonstrated higher reunification rates – so getting kids back with their families, and safe families, which is fantastic – lower rates of children transitioning to longer term care orders and more culturally appropriate, trauma-informed, timely and responsive care for young people as well. That is built on a stronger connection between those children and their community. So this is an important piece of work that, as I say, is now being expanded, if this bill passes, to include more of the child protection process so that these Aboriginal community controlled organisations can do more of that work.

I just wanted to reflect on that, because given the impact of child protection policies in the past on Aboriginal communities and Aboriginal people, one could be forgiven if Aboriginal communities were not doing this work. But they are, and I think it is an incredible thing to witness the passion, the generosity and the commitment of so many members of the Victorian Aboriginal community who are doing this work and who want to do more work to keep Aboriginal children safe. As a Parliament this bill is a very important way of us expressing our support for that work. There is no doubt that on the journey through the *Roadmap for Reform, Wungurilwil Gapgapduir*, the implementation of this bill and the pilot that it will enable we will face challenges. There will be ups and downs along this road, but it is an important step for this Parliament to take, to encourage more participation and a more culturally appropriate form of Aboriginal child protection and trauma-informed care through the Aboriginal communities themselves.

I want to commend the bill to the house and thank all of those people that have been involved in the putting together of this piece of legislation. As I say, I think the take-out for me and for the house is that all of those people who work not just with Aboriginal children in care but right across the child protection system and the care service system – foster carers, kinship carers – are wonderful people who do amazing work every day, and we should thank them for the work they do.

Roma BRITNELL (South-West Coast) (12:53): I rise to speak on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023, and I do so because this is a very important bill for many reasons. Some of the purposes of the bill are to include an Aboriginal statement of recognition and recognition principles relating to child protection decision-making for Aboriginal children and to incorporate further Aboriginal child placement principles, such as recognition of the importance of ongoing connections to family. This bill is important particularly in a state where on any given day one in 10 Aboriginal children is in care

– one in 10. That is a shocking figure, and it is worth noting that it was one in six when the Liberal government were in power. In the last decade, when the Labor government have been in power, it has deteriorated to the over-representation of an increase of 63 per cent since 2014. These are appalling figures. It has risen from 57.3 children per thousand to 102, so we have seen a massive deterioration in the period that this government has been in power.

I am proud to have spent a large part of my professional working life in an Aboriginal community controlled health organisation, an ACCHO, the Kirrae Health Service at the Framlingham Aboriginal community, where I actually was often a representative on the Victorian Aboriginal Community Controlled Health Organisation committees and spoke to certain situations around health implications and particularly child care. I have spoken about this at length in the house on many occasions. I worked with and I helped the community in Framlingham to achieve important health outcomes and to break down barriers that do not exist for many in the wider community, and I witnessed the ongoing trauma caused by the policies of forced assimilation and systemic discrimination – and again, I have spoken about specific examples in this Parliament before of things I have witnessed.

But I also witnessed a community's strength and resilience, a resilience and strength forged by generations of struggle and hardship but fortified by connections to both family and country. The Aboriginal community's concept of family incorporates the notion of the extended family, a notion that has largely disappeared from contemporary Australia, more familiar with the nuclear family. All communities love their children. That we all understand and have no doubt. But Aboriginal communities really, really love their children. A child's wellbeing is the focus of the community, and I certainly witnessed that and can speak very much to that. Parents and caregivers scrimp, save and go without for the best for their loved ones. They might not have much, but they shower what they have on their kids.

This bill highlights the importance of kinship carers in the Aboriginal community but also in the wider Victorian community. This is particularly poignant in a week where we celebrated International Women's Day, as the bulk of kinship carers are women: grandmothers, great-grandmothers, aunts, sisters and cousins. They have all stepped up for the care of kids, and I witnessed this over and over again at Framlingham – to the detriment of sometimes the adults, but the children are always put first. Kinship carers are family, frequently grandparents, who provide care for children who cannot live with their parents. Kinship carers are the unsung heroes of our community, and these people step in to look after vulnerable children when they cannot be cared for by their parents, often due to addiction or ill health. It is important to acknowledge that kinship carers rarely receive support for providing this care and often dip into their modest retirement funds or return to the workforce in order to provide for the needs of the youngsters in their care.

I have met with kinship carers many times in Warrnambool and have been fortunate to spend some time with them to hear their experiences dealing with the bureaucracy and small children. These carers really deserve not just awards and recognition for their work but some meaningful financial support. It is disappointing that this government has not recognised that and is not recognising that the cost of not supporting these families – these grandparents, these sisters and these aunts – is much greater to our community and to those children who we are concerned about, by not paying more to the families for the great job they do to support their young children whose families cannot step up at that time. It is a missed opportunity, and I am disappointed that this bill is not addressing this.

The bill also broadens the authorisations for Aboriginal organisations under the Aboriginal Children in Aboriginal Care program. This bill allows them to be authorised for any specified child protection functions, following a report and classification. This development is crucially important for the welfare of Aboriginal children. It is well documented that our hardworking and dedicated departmental child welfare staff are under-resourced and frequently overwhelmed, and all too often vulnerable children fall through the cracks. Red flags are not seen, and tragedy often follows. It is reassuring that this bill will authorise Aboriginal organisations for any specified child protection functions. Given we have finally recognised the importance of country and culture it is reassuring, if Aboriginal children are to

be removed from their parents care, it will be done with a view of maintaining connection to family and country. I hope that this practice actually does address the shortfalls, but I have my doubts.

This bill could have had the ability to change lives for the better, and I wonder what a difference it could have made to the life of a young Aboriginal child whose grandparent has regularly sought my assistance as they battle a system that struggles to recognise the importance of family, culture and country. I was initially contacted by this grandparent in 2020, when a grandchild was removed from their parent and taken into care. What followed has been a litany of disastrous decisions after disastrous decisions that have been compounded by a lack of culturally appropriate care and failure by this government for this child. I receive regular updates from this grandparent. The contents of the emails and telephone calls are heartbreaking. We can and must do more for Aboriginal children. I will share with the house some edited emails from the grandparent:

For all the talk our country goes on about recognizing the first peoples, in respecting them and their land it's surely symptomatic of our huge failures as a nation to truly help many of these people.

My summary today of where grandchild is at is, due to agitation etc re the child is now in a nice house in suburbs with round the clock Staff.

My summary is that the child is in a type of palliative care, everyone pussy footing round the child, who goes out on street whenever they like, and is down to the drug dealers at one of the stations, it's a rinse and repeat cycle of, Sleep half day, then out to score and whatever, back on own volition or via cops, coming down off the meth and the other, any crap they takes, back home, more phyc pills, total depression and withdrawal probs, violence, escalation, hospital, back to house and rinse and repeat, no school, bugger all food management, up all night watching whatever crap on tv, Netflix etc ...

Sitting suspended 1:00 pm until 2:02 pm.

Business interrupted under standing orders.

Questions without notice and ministers statements

Government integrity

John Pesutto: On a point of order, Speaker, in today's *Herald Sun* there is a report –

Members interjecting.

The SPEAKER: Order! Members will be removed without warning.

John Pesutto: In today's *Herald Sun* there is a report on a letter that you and the President in the other place received. The point of order I make is that you make that letter available to members of the house. It is fortunate that members on this side of the house and Victorians more generally were able to obtain a copy of the letter from that article. But with all due respect and as a courtesy to all members of the house I do think it is appropriate that that letter which you received be made available to all members of the house.

Mary-Anne Thomas: On the point of order, Speaker, I am sure, as you well know, a point of order cannot be used to ask a question of the Speaker, and I ask that you rule the point of order out of order.

The SPEAKER: I will take the point of order on notice.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:03): My question is to the Premier.

Members interjecting.

The SPEAKER: The house will come to order!

John PESUTTO: My question is to the Premier. Former IBAC Commissioner Robert Redlich has accused your government of instigating revenge attacks on IBAC in retaliation for various probes into corruption within the Andrews government. Why has the Premier's government instigated revenge attacks on IBAC?

Daniel ANDREWS (Mulgrave – Premier) (14:04): I thank the Leader of the Opposition for his question. I am not sure that he is necessarily faithfully quoting the former IBAC Commissioner, but what I can say is that no such thing has occurred.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:05): The Premier has personally faced at least four IBAC probes that Victorians are aware of, including investigation of corrupt dealings with the United Firefighters Union, corrupt land deals, corrupt misuse of political staffers and corrupt union grants. Given the government's efforts to undermine and weaken IBAC, why shouldn't Victorians conclude that corruption within the Andrews government is real?

Daniel ANDREWS (Mulgrave – Premier) (14:05): Because it is not.

Ministers statements: medical research

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (14:05): I rise to update the house on the Andrews Labor government's continued investment to cement Victoria's place as a global leader in medical research. There are three great centres of medical research in the world: Boston, London and Melbourne. By embedding the world's very best research in our healthcare system we are delivering better outcomes for all Victorians. This morning the Premier and I had the privilege of turning the first sod on the construction of the Aikenhead Centre for Medical Discovery at St Vincent's Hospital. As Aikenhead said, engineering is the future of medicine, and we are proud that this centre is Australia's first hospital-based biomedical engineering research facility. The ACMD will bring the world's best minds to Melbourne to tackle future health challenges in chronic disease through new technologies that will help Victorians live longer and healthier lives. Those technologies include 3D printed and implantable devices, robotic hands, heart tissue engineering and regenerative medicine like spinal cord repair. Labor is proud to have invested \$1.3 billion in health and medical research since 2014. This includes \$60 million for the Aikenhead centre, \$400 million for the Australian Institute for Infectious Disease, \$50 million to secure an mRNA research and manufacturing hub and \$35 million for the Victorian Paediatric Cancer Consortium. Labor will always back our scientists, our clinicians, our researchers and our engineers. The Andrews Labor government will continue to deliver the very best medical research facilities in the world to drive innovation, to create jobs and most importantly to save the lives of Victorians and those of people from around the world.

Government integrity

John PESUTTO (Hawthorn – Leader of the Opposition) (14:08): My question is to the Premier. In a letter to Parliament raising concerns about the conduct of the government, IBAC Commissioner Robert Redlich has exposed that the Andrews government controlled Integrity and Oversight Committee directed independent auditors to:

... find dirt on IBAC and data that is not readily publicly available.

Premier, who instructed government members of the IOC to direct auditors to find dirt on IBAC?

Daniel ANDREWS (Mulgrave – Premier) (14:08): Well, again, I am not –

Members interjecting.

Daniel ANDREWS: I am getting advice from the Leader of the Opposition on how to answer questions.

John Pesutto interjected.

Daniel ANDREWS: Well, you have never answered one, mate. You have never answered one, and by the looks of the people behind you, they know you never will.

Members interjecting.

The SPEAKER: Order! I ask the Premier to answer the question.

Daniel ANDREWS: Speaker, the Leader of the Opposition asked me about correspondence that is not addressed to me. If the Leader of the Opposition –

Members interjecting.

Daniel ANDREWS: No, the correspondence is not addressed to me. What is more, the preamble to the question is wrong because the correspondence is not addressed to the Parliament; it was addressed to the Presiding Officers. Well, the problem is that the Leader of the Opposition is a –

Members interjecting.

The SPEAKER: Order! The Leader of the Opposition and members of the opposition asked a question. I would like to hear the answer in silence.

Daniel ANDREWS: It is a walking example of what the Leader of the Opposition would like to be true.

John Pesutto: On a point of order, Speaker, to assist the Premier, can I offer to make available a copy of Robert Redlich's letter to you and the President?

Members interjecting.

The SPEAKER: Order! You can table the letter, but the Premier was answering your question. Order! Leader of the Opposition!

The member for Caulfield can leave the chamber for 1 hour.

Member for Caulfield withdrew from chamber.

Daniel ANDREWS: On the point of order, Speaker, I thought the Leader of the Opposition only 10 minutes ago was asking you for a copy of a letter. Now, apparently, he has got a copy of the letter – confused would be a compliment for this joke. I reject in absolute terms and with clarity any suggestion by the Leader of the Opposition that any member of the government has behaved inappropriately, or any member of staff has behaved inappropriately. And let me conclude by saying the member for Bulleen did not ask this question, did he? He is not here actually, but even if he were here, I do not know that he would have asked this question.

Members interjecting.

The SPEAKER: The member for Wendouree can leave the chamber for 1 hour.

Member for Wendouree withdrew from chamber.

James Newbury: On a point of order, Speaker, on relevance, this is a very important matter, and I would ask you to ask the Premier to return to this very important matter.

Daniel ANDREWS: The question contains assertions, and I reject each and every one of them.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:12): The government has undermined and weakened IBAC in doing its job. To restore integrity in Victoria, will the Premier support a judicial inquiry with the coercive powers of a royal commission to allow the former IBAC Commissioner, auditors and others to speak freely about their concerns?

Daniel ANDREWS (Mulgrave – Premier) (14:12): Former heads of integrity agencies are free to speak. I would have thought that was well understood. What is more, former heads of integrity agencies, when in office, have obligations to report any conduct that they believe to be of a serious nature, and as private citizens they are perfectly entitled to do the same. Again the question began with a series of assertions that have absolutely no basis in fact. It is what the Leader of the Opposition would like to have happened, it is what he would want to have happened –

John Pesutto: No, it is what Robert Redlich said happened.

Daniel ANDREWS: You are wrong. You are wrong – and not for the first time.

James Newbury: On a point of order, Speaker, we are most of the way through the answer and we have yet to have a response as to whether the Premier will support a judicial inquiry. It is an important question, and I would ask you to draw him back to that question.

The SPEAKER: The Premier has concluded his answer.

Ministers statements: mRNA workforce training centre

Ben CARROLL (Niddrie – Minister for Industry and Innovation, Minister for Manufacturing Sovereignty, Minister for Employment, Minister for Public Transport) (14:13): Last Thursday was a landmark day for Victoria's mRNA industry. Together with the Premier we launched a new dedicated mRNA workforce training centre. This will train the future of the mRNA workforce, not only here in Australia, but right across the Asia-Pacific region. The centre will deliver training programs right across all aspects of mRNA production cycles. The Andrews Labor government is investing \$10 million in the centre to produce the workforce for the 21st century. As the house would know, mRNA technology delivered the highly successful COVID-19 vaccines. Now the path is set for a new class of vaccines with the potential to eradicate malaria, TB, HIV and cancer. Investments like this, plus the Moderna manufacturing facility in Clayton, will revolutionise how we do medicine and our medical technology in Victoria and right across Australia.

But you do not have to take my word for it, you can take the word of Asher Judah, author of *The Australian Century*. I am very unfortunately going to quote from this book. This book retails for \$22.85 on Amazon, and I got a signed copy for free at my local op shop. I wanted to pay for it, but they would not take any money. I might regift if I need to, but I want to quote Asher Judah, because I think it is right by him. He did a bit of work and he deserves it. Asher says over the decade ahead breakthroughs in areas of biotech and genetics could best be understood as the greatest opportunity of this century. Teana passed the book on. I am happy to pass the book on to Mr Pesutto.

Member conduct

John PESUTTO (Hawthorn – Leader of the Opposition) (14:16): My question is the Assistant Treasurer. Yesterday in response to questions the Assistant Treasurer stated that he had 'always acted appropriately'. But he then went on to confirm that he had approved the opening of three bank accounts. How can the minister claim that he acted appropriately at all times when he approved the opening of three bank accounts with the Commonwealth Bank, a bank he owns shares in?

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (14:16): Again, as I have said, I have always acted appropriately. I have always declared my interests and I refer the Leader of the Opposition to the answer I have given to this previously.

Members interjecting.

The SPEAKER: The member from Malvern is warned.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:17): Given his previous apology for his involvement in the banking and financial services state purchase contract, does the Assistant Treasurer apologise for this further breach of the ministerial code of conduct?

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (14:17): I reject the premise of the Leader of the Opposition's question and I refer him to my previous answers.

Ministers statements: schools funding

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (14:17): I rise to update the house on the amazing investments the Andrews government is making to equip Victorian students with the critical STEM skills that they need now and into the future. This investment is really coming to life across our schools. We are delivering STEM subjects in new and exciting ways and kids are so engaged and so taking them up in place.

We are building new state-of-the-art STEM facilities to host these subjects through our record investment in school infrastructure. Recently I visited Dandenong High School with the member for Dandenong to officially open the long-awaited STEM centre. The students there were already excelling in STEM and will continue to do that, getting ready to take part in the H2 Grand Prix in the middle of this year in Queensland. I have been tipped that they are a high chance to make it to the international finals at the end of the year.

It was also great to join the member for Oakleigh at John Monash Science School to see firsthand the terraforming Mars program, the interstellar component using new and exciting simulation software. Maybe, just maybe, those absolutely amazing, very talented students there might, whilst exploring Mars from here on earth, be able to uncover the mysteries underlying the alien approach by the opposition to their question time tactics. It is possible.

On top of our investments in STEM, since 2014 we have opened 10 cutting-edge tech schools across this state, and we are getting on with delivering another six. I am looking forward to working with the member for Eltham in her role as Parliamentary Secretary for Education in order to help make these initiatives come to life. The delivering of these brand new tech schools will mean over 220,000 kids get access to tech.

Hydrogen Energy Supply Chain

Sam HIBBINS (Pahran) (14:19): My question is for the Minister for Trade and Investment, and it is in relation to the HESC brown-coal-to-hydrogen project. Minister, why on earth is the government continuing to support a project that would prolong the use of fossil fuels in Victoria and add to our state's carbon emissions during a climate crisis?

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:20): I thank the member for Pahran for his question. When we do math, we do not get to the answer first – we go through each line. We are going through a process. It is called due diligence. It is about checking the environmental sustainability of the technology. It is about making sure that we are satisfied around the way that this technology could be deployed and applied, and it is about making sure that the interests and the welfare of the Victorian people and the environment are first and foremost in our consideration. So as a government we will continue to work through the issue to view this matter in an appropriate and considered way. I will make a point to the member for Pahran – it is not just the Victorian government who are doing the math on this. It is not just the Victorian government that are looking at the implications to our environment and to the wellbeing of Victoria and its economy – it is also the Japanese government. It is also the Australian government. We are going through due diligence because you do not get to the answer until you have done the math.

Sam HIBBINS (Pahran) (14:21): Within this project, in order to deal with the massive amounts of carbon emissions that it would produce, the project is relying on carbon capture and storage. The reality is the maths is in on carbon capture and storage: it does not work. So why is the government continuing to pretend that carbon capture and storage actually works –

Members interjecting.

The SPEAKER: Order!

Sam HIBBINS: Why is the government continuing to pretend that carbon capture and storage will actually work when it has not been found to be remotely viable at this scale anywhere in the world?

Paul Edbrooke interjected.

The SPEAKER: Order! Member for Frankston!

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:22): Once again, that was not so much a question as a profession of faith. So far as we are concerned as a government, the fact is that carbon capture and storage is an issue that the government will be looking to as part of that due diligence. Apparently those opposite – the Greens – have already worked out the answer despite the fact that around the world there are a countless number, something like 40, of these operations in effect at the moment. So we are not getting ahead of ourselves. We will let the science dictate the outcome and we will make sure that we have confidence both in the technology for carbon capture and storage and, might I say, the broader technologies that are required to be applied in what is an incredibly complex program. As a government, let me assure you that our principal concern will be about the environmental effectiveness of these strategies. We aim for net zero as part of this process.

Ministers statements: Deakin University

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:23): It gives me great pleasure to be here again. I rise to update the house on how Victoria's international collaboration with India is going from strength to strength, underpinned by strong support from the Andrews Labor government. I am thrilled to share that Victoria's own Deakin University will be the first university in the world to open an international teaching campus in India. As Minister for Trade and Investment, it fills me with immense pride that Victoria is a destination of choice for Indian international students. In fact 41 per cent of Indian students in the country choose Victoria. That is compared to, say, 25 per cent choosing New South Wales. As the Prime Minister said yesterday, the new Deakin University campus opens up a new way for Indian students to obtain an Australian education by bringing it a bit closer.

Our international student sector is rebounding so strongly and it is really thanks to the enormous collective and collaborative effort that we are seeing displayed right across our world-class universities and our TAFEs, and I would like to thank them for the way that they have conducted themselves. The international education sector contributes significantly to Victoria's economy and communities. That is why we have invested \$53 million into funding the international education recovery plan, and of course when our international borders were closed there were some in our federal government who told international students to go home. The Andrews Labor government, by contrast, wrapped our arms around them and provided financial relief payments to get them through the hard times. It is clear that only one side of this chamber is serious about investing in international education and growing the Victorian economy. I would like to acknowledge the Indian government for choosing Victoria and Deakin University. *(Time expired)*

Member conduct

John PESUTTO (Hawthorn – Leader of the Opposition) (14:25): My question is to the Minister for WorkSafe and the TAC. How is it fair that injured workers face the risk of having their benefits cut because the minister has spent more time focusing on creating private wealth for his family than addressing the crisis in WorkCover?

Members interjecting.

The SPEAKER: The member for Bentleigh is warned!

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (14:26): It was a great privilege to be appointed Minister for WorkSafe and the TAC back in December of last year, and I recognise the fact that we have had claims costs increase threefold since 2010 and that if you look at the premium charged it is less than what was paid 20 years ago. On this side of the house we recognise that one of the key drivers for this is in relation to the rise in mental health injuries, and on this side of the house we have been very clear on this. We supported the establishment of Australia's first royal commission into mental health, we have supported each and every single recommendation and we will be implementing each and every single one. Those opposite have not been the same. They have had no interest in it. We are not going to take lectures from those opposite when those opposite abolished common-law rights for seriously injured workers. That is their form, and if they had had their chance last time they would have flogged off WorkSafe to their mates. The reality is that we recognise there are challenges that this scheme is facing, challenges that WorkSafes are facing right across the country, and we are committed to making sure that we get the balance right.

Jacinta Allan interjected.

The SPEAKER: The Deputy Premier will come to order.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:27): Over the past fortnight the minister has been exposed for holding Commonwealth Bank shares whilst overseeing a new government banking contract awarded to the Commonwealth Bank; for being a member of cabinet when government decisions were made that benefited CSL, Beach Energy, Computershare, Bega Cheese and Telstra, all whilst an active shareholder in each company; for holding Commonwealth Bank shares whilst authorising three new government bank accounts with the Commonwealth Bank; and for overseeing a crisis in WorkSafe that will now see workers lose benefits and employers pay more premiums. Minister, will you finally show some integrity?

Members interjecting.

The SPEAKER: Order! The member for Sunbury can leave the chamber for 1 hour. Order! You will all be ejected if you speak or move or so much as twitch while I am on my feet.

Member for Sunbury withdrew from chamber.

John PESUTTO: He has been exposed for overseeing a crisis in WorkSafe that will now see workers lose benefits and businesses face large premium increases. Minister, will you finally show Victorians that integrity matters, do the right thing and resign?

Members interjecting.

The SPEAKER: The member for Frankston can leave the chamber for 1 hour. The member for Tarneit can leave the chamber for 1 hour, quietly. I want to hear the minister's response to the question.

Members for Frankston and Tarneit withdrew from chamber.

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (14:30): Well, maybe you could have been taken a bit more seriously if you put your back into it, mate. No-one is taking you seriously. Your backbenchers are not taking you seriously, I am not taking you seriously –

Members interjecting.

The SPEAKER: Order! The minister knows to speak through the Chair.

Danny PEARSON: I reject the premise of the member's question. I have always acted appropriately, and I absolutely love being the minister for workplace safety in the great state of Victoria.

Ministers statements: medical research

Daniel ANDREWS (Mulgrave – Premier) (14:30): I am delighted to join with my colleagues today in speaking about medical research, advanced technology, changing lives, saving lives, creating jobs, creating wealth and making sure more of that value chain is here in the great state of Victoria. This morning the Minister for Health and Minister for Medical Research and I were at the Aikenhead Centre for Medical Discovery down at St Vincent's, and I want to thank all the staff of St V's – all of them. They do such an amazing job providing care and support, often to the most vulnerable patients, across our city and indeed with services right across our state.

We made this commitment some time ago, \$60 million as part of a \$206 million precinct that is unique in the world, to have a hospital combined with medical research and biomedical engineering, making, devising, building and ultimately manufacturing at scale digitally printed prostheses and all manner of other important implantable devices. The best of manufacturing, the best of engineering and the best of science to provide the best of care – that is what this is all about. It is not a \$60 million cost; it is a profound investment in changing lives, changing our world potentially and creating jobs along the way. There are all the partners, whether it be the University of Melbourne, RMIT, the Australian Catholic University, the Bionics Institute or of course the Aikenhead Centre and its staff and also St Vincent's Health and the St Vincent's Foundation.

This is a profound investment, and it is just one part of a comprehensive agenda that has had more than \$1.3 billion of investment since 2014. The best part of 30,000 livelihoods depend upon this, with \$21 billion worth of economic output each and every year. We back science. We put our faith in science. We do not cuddle up to people who could not spell 'science', let alone follow it. We get on and make the investments that change lives, change our world and create jobs and opportunities along the way.

Constituency questions

South-West Coast electorate

Roma BRITNELL (South-West Coast) (14:33): (70) My constituency question is for the Minister for Housing, and the information I seek is details of what the minister is doing to address the rising issue of homelessness in South-West Coast. Over the past year the number of long-term South-West Coast residents contacting my office to express their frustration, fear and despair at their often-sudden homelessness is astounding. Responsible, gainfully employed, community-minded people have found themselves without a place to call home due to increasing rental prices and an overheated property market. Lives have been uprooted and social networks destroyed. Even disability support pensioners with comprehensive NDIS packages are now forced to live in cars. It is a disgrace. With the budget looming I urge the minister to allocate additional housing to South-West Coast, because the \$25 million guaranteed for Warrnambool in 2020 will not even touch the sides.

Eureka electorate

Michaela SETTLE (Eureka) (14:34): (71) My constituency question is for the Minister for Public Transport. The regional fare cap was announced last year and will come into effect at the end of March. This will see regional fares capped at the same rate as city fares, meaning that a family travelling from Ballarat to the Melbourne show will now pay the same as a family from the city. But it also means that families from across the state can come to enjoy the many attractions that Ballarat has to offer, including the world-famous outdoor museum at Sovereign Hill, the Ballarat Wildlife Park and many cafes and restaurants. The cap extends to all transport services – intracity and V/Line buses. The information that I seek from the minister relates to the impact on concession card holders. Can the minister advise how many travellers in my electorate on a concession card will now pay only \$4.60 per weekday from 31 March?

Lowan electorate

Emma KEALY (Lowan) (14:35): (72) My question is to the Minister for Health, and I ask: noting the state budget will be handed down in May, when will the minister support the will of the people of Lowan and match the Nationals election commitments regarding health infrastructure? This includes committing funding to redevelop some of our fabulous hospitals in western Victoria, including the Western District Health Service in Hamilton's emergency department and ICU, redeveloping Mortlake community health and also redeveloping and expanding Willaura hospital? We know that the Western District Health Service is well overdue for some infrastructure funding, particularly around the emergency department and ICU. I would also invite the minister to come and have a walk-through, because the conditions really are not acceptable in a modern Victorian hospital. There are only curtains for the rooms; they simply do not provide any privacy for treatment. This is for all patients that enter, but particularly for women, on the day after International Women's Day, who need intensive support, they are not able to get that privacy. I ask the minister: please, when will this funding be delivered – *(Time expired)*

Narre Warren South electorate

Gary MAAS (Narre Warren South) (14:36): (73) My constituency question is for the Minister for Education and concerns the reforms to school-based vocational education. Minister, could you please provide further details on how the reforms to vocational education will benefit secondary schools and students in my electorate of Narre Warren South? I understand that the VCE vocational major and Victorian pathway certificate have replaced the Victorian certificate of applied learning this year. It is important to offer our students more choice and flexibility in their studies to ensure that they have more opportunities and pathways into the industries that match their talents and passions. Our schools need any available support as they strive to prepare our children for life and work after their studies. I would appreciate any further information on how the reforms to school-based vocational education will benefit the schools and students in my electorate, and I look forward to sharing the minister's response with my community.

Nepean electorate

Sam GROTH (Nepean) (14:37): (74) Throughout last year's election campaign Labor promised my community they would deliver critical funding increases for local schools if they were re-elected. These commitments, which are still available on the Premier's website, include a significant upgrade to Eastbourne Primary School, investing \$9.5 million, and \$200,000 for a playground at Rye Primary. These upgrades as well as others, including to Sorrento Primary, are desperately needed to support families in my community and the educational growth of our students. My constituents deserve world-class educational facilities on their doorstep. I am committed to seeing these schools are delivered the funding they deserve to deliver the best possible outcomes for local residents and are not just made election promises that never get delivered. My question is for the Minister for Education: will the government fund these commitments to Eastbourne and Rye primary schools in the 2023–24 budget, and when can these schools expect construction to begin?

Greenvale electorate

Iwan WALTERS (Greenvale) (14:38): (75) It is a hat-trick – my constituency question is also to the Minister for Education. Could the minister please outline the investments the Andrews Labor government is making to support the learning and development of students at schools in my electorate of Greenvale who have arrived in Victoria as refugees from war and oppression? I have had the immense privilege of visiting many schools across the Greenvale electorate, all of which have been characterised by great leadership, wonderful teachers and support staff who are so committed to the education and wellbeing of children. Schools such as Bethal Primary School in Meadow Heights and Good Samaritan Catholic Primary School in Roxburgh Park have a significant proportion of children from migrant and refugee backgrounds. They do an outstanding job in genuinely caring for their

families, connecting them with a broad range of often co-located support services and supporting them to thrive. I look forward to the minister's advice on this important issue.

Melbourne electorate

Ellen SANDELL (Melbourne) (14:39): (76) My question today is for the Minister for Emergency Services. The Footscray SES, which covers my electorate and my home in Kensington, do incredible work with their highly trained team of volunteers. Last year they responded to the Maribyrnong flood. However, they do not have the funding to properly resource their operations to serve and protect the community, especially as climate disasters get worse. They operate out of the back of a dusty shed used by the local council as a vehicle thoroughfare, creating hazardous working conditions. They do not even have enough vehicles to respond to emergencies, with their boat being reallocated to another unit. Their tin shed office can barely even get phone reception or wi-fi. The working conditions make it hard for them to get enough volunteers. They operate on the smell of an oily rag. With disasters increasing due to climate change our community relies on the SES to respond. Will the government commit to better funding for the Footscray SES serving my electorate so that they can protect our communities when they are needed?

Laverton electorate

Sarah CONNOLLY (Laverton) (14:40): (77) My question is for the Minister for Mental Health. It has now been two years since our government delivered the final report on the Royal Commission into Victoria's Mental Health System. What our government has done since is something no state or territory has done before: an unprecedented transformation from the ground up of our mental health system. Seventy-four recommendations were made in this report, and all of them will be delivered over a 10-year period. As I understand it, work is underway on 90 per cent of these recommendations, backed by \$6 billion in investment. This funding will help reshape Victoria's mental health system into one that it is responsive, safe, equitable and compassionate, driven by the lived experience of Victorians. My question to the minister is this: what will this investment and this change mean for mental health services in my Laverton electorate?

Rowville electorate

Kim WELLS (Rowville) (14:41): (78) My question is to the Minister for Public Transport. Minister, when will you fund a dedicated train line to Rowville? The then Aston federal member Alan Tudge secured \$475 million towards a train line that would connect the Monash Clayton and Caulfield campuses, with a plan to run a train from Monash Clayton to Rowville. Unfortunately, with the election of the Albanese Labor government, we saw all \$475 million cut from the Rowville rail project. With the by-election in Aston, we will continue to pressure the Andrews Labor government and their mates in Canberra to properly fund a railway line to Rowville so the residents of my electorate will at least have proper public transport.

Hastings electorate

Paul MERCURIO (Hastings) (14:42): (79) The Andrews Labor government has recently upgraded Grant Road, Golf Links Road, Warrandyte Road and the roundabout they link up to, which is fantastic, but there is always more to do. My constituency question is for the Minister for Roads and Road Safety. One of the most frequent questions and concerns raised during my campaign and as a former councillor was about the Somerville roundabout. This roundabout has five separate roads feeding into it: Grant Road; Eramosa Road east and west, which also has a rail crossing; and Frankston-Flinders Road north and south. It is the main thoroughfare through Somerville connecting the townships of Frankston, Baxter, Tyabb and Hastings. It is very busy, gets very congested and is dangerous, particularly for pedestrians. What is the latest update regarding the planning and design work currently being undertaken to improve the safety of this intersection? My community look forward to hearing positive news about plans to make the Somerville roundabout safer.

*Bills***Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023***Second reading***Debate resumed.**

Roma BRITNELL (South-West Coast) (14:43): Before the lunchbreak I was quoting from a series of emails that I have received from a grandparent in my electorate about the care of his grandchild. I will continue quoting these appropriately edited emails:

The child knows the system: this is how we acknowledge and respect the indigenous.

To my mind the child is headed to ongoing drug addiction, violence and crime, jail and very possibly death

It's all quiet on the western front till all hell breaks out into the open.

Seeming no plans to help this 14 year old

Child in secure accommodation till tomorrow, will be back in insecure and is going to court on over 50 charges in 6 days time ...

50 charges plus while "in care"

Child is now super violent and a real danger to self and society

Another quote:

Last three weeks numerous suicide attempts, now a hairsbreadth from high security.

This is a young person that went into care when she was about 11 or 12. She is not even 15 yet, and this is the sort of child that family have, who they write to me about whilst they are in care. These are incredibly disturbing emails.

Victoria must continue to take positive steps to help our vulnerable Aboriginal children. We know Aboriginal children have more than their fair share of disadvantage and are over-represented in the custodial setting and in the state's care. There is so much more to do, and it is so disappointing that under this government we have seen such a deterioration in the figures of children in care, going from one in 10 children to one in six. It is a blight on this government. We can talk the talk until the cows come home, but for children like this child that I have been talking about, whose grandparent continually writes to me because it is so distressing, we have been to the government and we have been asking for help and nothing really constructive can be done. Legislation like this helps, but it is a missed opportunity, because that child is crying out for our help. That child, as the grandparent says, needs boundaries and support.

Those workers who support the children in care need those resources and need that support and need the policies around that, the legislation, to support them. This legislation is important, it goes where we should be going, but there is so much more to do, and on behalf of that grandparent I urge the government to do more.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:46): I am pleased to make a contribution on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. I am particularly keen to do that because as a former Minister for Child Protection and Family Services I understand the challenges we face and what we are seeking to address around, particularly, the over-representation of Aboriginal children in our child protection system.

Wungurilwil Gapgapduir, that is particularly the work and the commitment that our government has been able to enter into. The state entered into those agreements with the community services sector and particularly with the Aboriginal community to reduce the over-representation of Aboriginal children in child protection and out-of-home care. Part of the way in which we have been able to work through some of those matters, and I have seen that firsthand, is the Aboriginal Children's Forum,

which I have had the opportunity to co-chair in the past with the remarkable work of our Aboriginal community controlled organisations (ACCOs).

In particular we know that one of the most important factors in what we need to do to improve outcomes for Aboriginal children is Aboriginal self-determination. The way in which we want to do that and the single biggest factor in overcoming some of our Aboriginal children in care is achieved through that work of Aboriginal people who are best placed to lead and inform the responses for Aboriginal children and their families. That is where we get the best outcomes. We have seen that in our data. We have seen that in our work. When we talk about some of that work, some 1500 families, including over 400 Aboriginal families, were connected to the family preservation and reunification response in its first 18 months of operation. That is a response that prioritises the return of children in care to their families, with particular work to pick up on those 400 Aboriginal families being part of that family preservation and reunification work.

This bill also reinforces the Victorian government's commitment to Aboriginal self-determination in our health and child protection systems and acknowledges the importance of our culturally safe and appropriately resourced services to meet those health and wellbeing needs of Aboriginal people in Victoria.

One of the key components of the bill is enabling some of that effective functioning of Aboriginal children in Aboriginal care through some of our programs that will allow Aboriginal agencies to make decisions and also provide culturally grounded support for Aboriginal families. So how is some of that done? Well, it is about delivering better outcomes for those children and their families, and we know it works in particular through the expansion of the functions of our Aboriginal community organisations that are authorised under this program.

The bill will actually allow Aboriginal decision-making in the investigation of child protection reports, and that is really critical and important. So by providing an Aboriginal approach to those investigations of child protection and the reports by Aboriginal agencies there is a strong potential to reduce the need for further interventions and reduce the number of Aboriginal children entering care. Involving those ACCOs in the child protection process will allow greater opportunity for those organisations to work closely with Aboriginal children and their families. They are best placed to work with Aboriginal families and connect them to the services they need to support and keep children safe.

Some of the work that we need to do is also about more training and more opportunities for the specific and specialised work of our child protection practitioners to provide those opportunities for putting an Aboriginal, a First Peoples, lens over that work but also to make sure that they have appropriate staff trained and are taking up the opportunity to work with Aboriginal families.

As well, the statement of recognition in the bill is critically important, and I did want to touch on that – the Aboriginal statement of recognition that accompanies the binding recognition principles. That statement acknowledges the role the child protection system has played in the dispossession, the colonisation, the assimilation of Aboriginal people, in particular through the separation of Aboriginal children from their families, from their culture and from their country. By compulsion these things were done and we acknowledge that these things were done, and we want to do better.

It is so much more important too that at the front here of the bill, at the start, it is picking up on that statement of recognition, so that everything we look at when we go to this bill – hopefully as it becomes active in Parliament – the starting point is around the statement of recognition and self-determination, so that when we look at the laws we set in this place in relation to the children and health legislation amendments and the work of this bill, we do so through the lens of First Peoples. The work that has been done, in particular in relation to the statement, is historically significant. It will give prominence to decisions that are made where the act is used in the future, when the bill hopefully passes. And that statement of recognition is something that we worked on through the Victorian Aboriginal Children and Young People's Alliance, representing the ACCOs, Victorian Aboriginal Child Care Agency,

Rumbalara and others across the Department of Families, Fairness and Housing and the like, but it has come from the work of First Peoples and their organisations, and it is critically important that that fronts the bill and is a significant part of it.

The next step with the bill around entrenching Aboriginal self-determination and those decisions about the child protection system is that we need to continue to work to address the overrepresentation of Aboriginal children in care. As I said earlier, the key elements of doing that are about, we know, that the more Aboriginal children we can have in the placement of Aboriginal families, but also in kinship care, where those arrangements can be made, we are going to see better outcomes and also better decision-making when it is First Peoples making the decisions in relation to those families. We have already seen the success of that work – this bill formalises a lot of that work, it encourages that work, it sets out a better framework for how we can continue to do that. Our government has funded something like an additional 1180 child protection practitioners. There are always going to be challenges around recruitment. We have seen that in so many fields across the state and also in making sure we have got the people we need in the places that we need them right across Victoria. Of critical importance is to make sure we are providing the support and the training and the opportunities for Aboriginal people, for First Nations people, to take on this work, to be trained and supported to do this work in their own organisations for people and families that they care so much about and that they have a clear understanding around culture and community and the way in which we want to practice that to support those families.

This is a very significant change. I commend it to members. I want to also thank many of those organisations but particularly our Aboriginal community controlled organisations for the work that they do every day to keep children safe but also the work that they do and the best practice that we have seen through the Aboriginal Children's Forum, in those forums in Gippsland, across Bendigo and in so many other parts of our state where best practice is shared and there are learnings on how we can do our work more effectively. But they are doing great leadership work in keeping families together, getting families back on track, supporting young people and supporting the children to make sure they are getting the support that they need. We know, as best we can, in supporting families to be together, in supporting families to get through their troubles and difficulties, we are going to get better outcomes for those children more often than not. That starts particularly with the work that we do through our *Family Preservation and Reunification Response* and those programs, and particularly around a focus that we need to have on our First Peoples.

That is really reflected here in this bill. It is reflected in that statement of recognition that understands and touches on the history of these matters but also seeks to take it forward in the work that we need to do together to support vulnerable families in our community and providing pathways for reunification, pathways to preserve families and provide the supports for people who need it right across the state. So I am really pleased that we are considering these matters in the house today.

I am pleased with the work that we have been able to do together in trying circumstances, often when families are at their most vulnerable, when children are at their most vulnerable and with the obligations of this state. In the history of these matters it is important that we acknowledge the past, but also that we built with First Peoples how we can engage them in making sure more Aboriginal children in Aboriginal care is the way in which we are going to support more families in the future. The work of *Wungurilwil Gapgapduir* – and the work of the people who are committed to that work both in this place and in our community service organisations around the state and our Aboriginal community controlled organisations – goes a long way to helping and supporting families right across Victoria.

Annabelle CLEELAND (Euroa) (14:56): I rise today to speak on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. This bill replaces a previous version, which lapsed within the last Parliament, with some minor changes introduced. Firstly, I would like to acknowledge our local Indigenous communities as I stand proudly today alongside my National Party colleagues, committed to supporting meaningful action to close the gap between Indigenous and non-Indigenous Australians. I want to particularly

acknowledge the Leader of the Nationals and the member for Shepparton for speaking on this bill. They both have high Indigenous populations in their electorates and have built strong, collaborative and meaningful connections with First Nations groups within their communities.

We pride ourselves on our strong connection to community, and I know this is no different when it comes to our First Nations people. Northern Victoria is home to a large percentage of Indigenous Australians, and we are all committed to working to ensure outcomes are improved by listening to and engaging with these important local voices. We are committed to supporting the treaty process for our First Nations people, and while I was not here in this chamber last year, I can imagine how incredibly powerful it would have been to stand in this place and support the treaty process – action that represents the core principle of self-determination. This is outlined in new section 7B, which acknowledges the treaty process being undertaken in Victoria, something which I am glad has bipartisan support. It also acknowledges the aspiration of Aboriginal people to achieve increased autonomy, decision-making and control of planning, funding and administration of services for Aboriginal children and families, including through representative bodies established by the treaty process. The electorate of Euroa is predominately covered by the Yorta Yorta and Taungurung registered Aboriginal parties. Across our region there is evidence of scar trees, rock-shelters, rock art and placenames that all reflect the deep and long-lasting history and connection Indigenous people have with our beautiful part of the world. I am looking forward to engaging and working with representatives of our First Nations people over the next four years.

As outlined in this bill, self-determination is a step towards closing the gap. In this case it is clear the Victorian government is failing in its target to reduce the over-representation of Aboriginal children in the care system by 45 per cent by 2031. Sadly, in Victoria we have the worst rate in the country of Aboriginal children in care, with one in 10 Indigenous kids in care on any given day. Worryingly, the rate of over-representation has skyrocketed since 2014, increasing by 63 per cent. Most Aboriginal children in care within Victoria are in kinship care, an important arrangement that protects connection to culture and family where possible. The majority of these cases are managed by the Department of Families, Fairness and Housing rather than community agencies. This is important to note, given the Auditor-General found that 84 per cent of the time, the department case managers failed to carry out any welfare checks on children in kinship care.

I would like to thank the shadow minister in the other place for the extensive consultation undertaken in regard to this bill, given the Liberals and Nationals have been calling for increased powers for Aboriginal organisations for a significant period of time. This is why it makes sense for Indigenous children to be provided protections that align with children in foster care by increasing the power of Aboriginal-led community agencies. When this bill came before Parliament previously, our support was unanimous. Since then the minor changes made to the bill range from legislating a series of Aboriginal child placement principles to giving Aboriginal community organisations the power to investigate reports rather than having to refer them back to the department, and replacing outdated and offensive language with more modern terms such as ‘Aboriginal and Torres Strait Islander person’.

Alongside reform to important child protection legislation, this bill includes recognition principles which are to apply in relation to dealings with Aboriginal children, families and Aboriginal-led community services. Like every country across the world, Australia has a complex history, one that is contested and difficult to grapple with at times but incredibly brilliant at others. Without doubt we do live in the greatest nation in the world, the one that is the most free and fair. But as *Closing the Gap* reports year after year show, there is significant work that still needs to be done to create a society where access to equality of outcomes exists.

Our nation has made statements and important reforms relating to Indigenous Australia over the decades and there are significant landmarks which I would like to make note of. There was the 1967 referendum to count Indigenous Australians within the census and remove race powers from the state. In 1970 Victoria was the first state in the nation to grant freehold title in Indigenous communities through the passage of the Aboriginal Lands Act 1970. In 1971 the first Indigenous man was elected

to the Senate. In 1976 we had Aboriginal land rights, the first legislation in Australia that enabled First Nations people to claim land rights for country where traditional ownership could be proven. In 1997 Jeff Kennett moved:

That this house apologises to the Aboriginal people on behalf of all Victorians for the past policies under which Aboriginal children were removed from their families and expresses deep regret at the hurt and distress this has caused and reaffirms its support for reconciliation between all Australians.

Even more recently, in 2010 we saw the election of Ken Wyatt – the first Indigenous man elected to the House of Representatives, the first Indigenous man in cabinet and the first Indigenous Minister for Indigenous Australians. These are all reforms and important milestones that have occurred thanks to this side of politics at both federal and state levels. There is no doubt those opposite have pushed important reforms at both levels of government, but it is important to note that a commitment to closing the gap and improving outcomes for Indigenous Australians is a bipartisan commitment. It is one I hope all members in both houses, now and into the future, are wedded to.

We are in the middle of a national debate that is incredibly polarising. While people may have different views on the way in which we close the gap between Indigenous and non-Indigenous Australians, I know everyone is committed to closing that very gap. While this bill does not sit alongside some of the major reforms we have seen throughout history, it is my belief that it is an incremental step in improving the system for Indigenous youth and families and developing a system more attuned to the needs of vulnerable children. We know the importance of children being raised in a loving environment and having the best possible chance at succeeding in life. I think it is pretty devastating the Commission for Children and Young People recently found that there has been a disproportionate increase in deaths of Aboriginal children in care in recent years, including 13 of the 45 deaths in 2021. It is heartbreaking and things are failing.

In summary, the objectives of this bill outlined by the minister – to eliminate the over-representation of Aboriginal children and young people in care; increase Aboriginal care, guardianship and management of Aboriginal children and young people in care; and increase family reunification for Aboriginal children and young people in care – are ones which we can all support. I provide my full support for this bill.

Martha HAYLETT (Ripon) (15:03): I rise to speak on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. This bill reinforces the Victorian government's commitment to Aboriginal self-determination in the health and child protection systems, centralising the importance of culturally safe services. It is an important step in the path to closing the gap, with one of the key aims to reduce the over-representation of Aboriginal children in state care by 45 per cent by 2031. In an Australian first, this bill sets out to expand the role of Aboriginal agencies delivering children and family services to reduce the over-representation of Aboriginal children in care.

It will also complement Victoria's treaty process as we collectively work towards long-term solutions to right the wrongs of the past. For generations Aboriginal communities across Victoria have called for treaty to acknowledge the sovereignty of First Nations people. We know the Victorian traditional owners maintain that their sovereignty has never been ceded, and they have consistently called for a treaty process that delivers self-determination for Victoria's First Peoples.

This bill addresses the key aim of reducing the rates of Aboriginal children in the child protection system in quite a few key ways. Firstly, it recognises the importance of retaining close connections to culture and family. We have seen throughout history the effects of separating the ties between Aboriginal children and their community, and we do not have to look far back into our past to see this play out. It is indisputable that the harms and trauma of the stolen generation are still being felt today. This degrading and inhumane policy of forced separation was in effect until the 1970s, leaving a devastating mark on too many families and communities. Last year the Andrews Labor government

opened the stolen generations reparations package, but we still have a long way to go before we can truly come to terms with the deep scars left on our community.

Secondly, this bill enshrines the importance of self-determination in decision-making. When Aboriginal people and organisations are involved throughout the process it leads to better outcomes. We know this. It is a key binding principle that will be enshrined into the framework of child protective services in this state and will mean decisions are guided by informed and community-led approaches. Keeping Aboriginal families strong relies on a deep understanding of and respect for Aboriginal culture. These principles have been co-designed with the Victorian Aboriginal Children and Young People's Alliance representing Aboriginal community controlled organisations, which is extremely important.

This bill explicitly incorporates the five aspects underpinning the intent of the Aboriginal child placement principle. This includes prevention, participation, partnership, placement and connection. Our country has an exciting opportunity to live our values when it comes to fairness for Aboriginal people in this country. We are seeing the same conversation about Aboriginal self-determination carry out federally around the referendum which will be held later this year for the Voice to Parliament. I am proud to support the yes campaign because Aboriginal people deserve a greater say in this country when it comes to issues that affect them. It is all about recognition and consultation, and if it is successful it will mean that our country will finally enshrine a Voice to Parliament in our constitution, which will have a say on issues that affect them.

I am proud that Victoria is the first Australian jurisdiction to commit to and action all elements of the *Uluru Statement from the Heart*: voice, treaty and truth. We are working hand in hand with the Aboriginal community in Victoria to fully realise the potential of Indigenous communities and to support and protect them and recognise past wrongs. I want to particularly mention the co-chairs of the First People's Assembly of Victoria, Aunty Geraldine Atkinson and Marcus Stewart. In Victoria they have led the way on voice, treaty and truth, making massive progress on all three pillars of the *Uluru Statement from the Heart* in a very short period of time.

A truth-telling process is underway now, crafted by the community with wide-reaching powers under the Yoorrook Justice Commission, and the Treaty Authority and independent umpire to facilitate negotiations through the treaty process which was passed by this Parliament just last year will mean that we can begin to level the playing field when it comes to fair and frank negotiations between the state of Victoria and First Peoples.

I want to acknowledge and thank the traditional owners and registered Aboriginal parties in my electorate of Ripon. This includes the Dja Dja Wurrung Clans Aboriginal Corporation, which covers central Victoria, including what we now know as Creswick, where I live, as well as Clunes, Dunolly, Maryborough, St Arnaud and parts of the Loddon shire. Their connection to country runs deep and spreads across tens of thousands of years. I want to turn to the words of Aunty Fay Carter, a Dja Dja Wurrung elder, who said:

I'd like the rest of the world to know that Dja Dja Wurrung still exist. We are still here as a People. We are proud and value our Culture. We honour our Martinga kuli, and everything that we do, we are doing on behalf of our Martinga kuli, who didn't have the voice that we have today.

I also acknowledge the Wadawurrung Traditional Owners Aboriginal Corporation whose CEO and traditional owners I have had the pleasure of meeting with and look forward to working with into the future. Their lands stretch across what we now know as Ballarat, Beaufort, Skipton and everywhere in between. I acknowledge the Barengi Gadjin traditional owners covering areas of the Wimmera Southern Mallee region of Victoria, including Navarre, and the Eastern Maar Aboriginal Corporation, whose lands stretch far from the coast to as far north as Ararat in my electorate. Each of them represents and fights for Aboriginal children on country, and I am guided by my conversations with them and others when I come to this place. In just August last year I attended the national Aboriginal and Torres Strait Islander children's day event in Maryborough, organised by Kymberley, Maryborough District Health Service Aboriginal hospital liaison officer. What a beautiful day it was, with art, storytelling,

history and dance. I was extremely heartened to see such a wonderful display of connection to country, and I know that the day meant so much to the Maryborough community.

That is what this bill is all about, protecting Aboriginal children and keeping their ties to community, country and family strong. We are recognising that the child protection services have not been fit for purpose for too long, and we are doing something about it. This will be achieved in part through the statement of recognition, which will highlight the impact of past policies on Aboriginal people and was designed in partnership between Aboriginal stakeholder groups. It also furthers key promises and strategic directions under the *Wungurilwil Gapgapduir: Aboriginal Children and Families Agreement* 2018. This agreement, meaning 'strong families', between the Aboriginal community, Victorian government and community service organisations is designed to address the issue of over-representation of Indigenous children in care. Since 2018 the Victorian government has invested over \$160 million of new investment to implement the initiatives that came out of this agreement. No-one is saying this is easy, but it must be done. We cannot expect different results without delivering the necessary reforms to strengthen the relationship between the Victorian government and Aboriginal people in Victoria.

When thinking about what I wanted to speak about today, my mind turned to the inaugural speech of Mutthi Mutthi and Wamba Wamba woman Victorian senator Jana Stewart, who is a dear friend of mine and an incredible person. When she came to Melbourne she began working at the Victorian Aboriginal Child Care Agency before becoming a family therapist. She spoke of her experiences during this time which cemented her understanding of the impact of trauma and secure attachments developed by children, and she learned how fundamental it is to a child's success in life to have a healthy and happy childhood. I think of those children across my electorate whose connections to country, to family and to community are being developed at such a young age, including the 66 kids out of 1000 students at Maryborough Education Centre that proudly identify as Aboriginal and Torres Strait Islander and the many others at Wedderburn College, St Arnaud Secondary, Beaufort Primary School and everywhere in between.

It is no secret that we still have a long way to go in closing the gap for Aboriginal children. Whether it is housing, education, health, employment or so much more, we must be doing better as a state and as a country to afford Aboriginal people the same opportunities and rights that we all enjoy. That is what makes this bill so important: it is part of a broader story of Aboriginal self-determination, justice and equity. Protecting cultural heritage, improving justice outcomes and strengthening Aboriginal organisations to deliver for their communities is not the whole picture. We must reimagine the way we work together for a fairer, more just and more equal society, working across coalitions of Aboriginal organisations, First Nations people and communities. We are on the path to achieving this, but we must continue to pursue every opportunity to secure Aboriginal self-determination in Victoria. It is clear what can be achieved when the community, working with Aboriginal community controlled organisations, demands better outcomes for Aboriginal children. I am thrilled to be part of a government that is genuinely coming to the table time and time again on these issues. I commend this bill to the house.

Kim O'KEEFFE (Shepparton) (15:13): I rise today to speak on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. This is an incredibly important bill that addresses the many issues facing Indigenous people and their broader communities. The electorate of Shepparton district is home to a large percentage of Indigenous people, and in fact we have one of the largest populations outside of Melbourne. If you come into the Shepparton district you will see such an incredible history of Indigenous people, our street art, our celebration of the Indigenous history and such a strong connection to country. I do not think there is anywhere else in the nation that celebrates and expresses the reasoning behind this bill and the opportunity for change, which is what I need to express today.

Whilst there are only some minor changes to the bill, the bill will give direction, and it acknowledges the need for change to achieve far better outcomes. As outlined in the bill, self-determination is a step

towards closing the gap. The Victorian statistic of having the highest rate of Aboriginal children in care is alarming and continues to increase. It is something we must work harder to change, and that is what we are here really wanting to achieve with this bill today. Alongside reform to important child protection legislation, this bill presents an opportunity in addressing the way we deal with Aboriginal children, families and the varied Aboriginal services. There is an opportunity for some really great work to be done through this bill and a way of moving forward that hopefully will achieve far better outcomes and opportunities, in particular protecting the Indigenous and Aboriginal children within the broad communities.

I have proudly worked closely with many of our Indigenous communities and community leaders, tirelessly trying to help bring about far better outcomes. I am so inspired by the commitment and the want for their people. With challenges also come an opportunity for change – more support, more guidance, more legislation that will give clear direction but also empower the Indigenous community to really play a part in what that should look like.

I want to share some amazing stories that are happening within my community to show the Indigenous leaders that are really wanting to drive change. For example, the soon-to-be-built Munarra Centre for Regional Excellence will be located beside the Rumbalara Football and Netball Club. It aspires to achieve and enhance Aboriginal culture and identity and will work towards creating education and important employment pathways for Aboriginal and non-Aboriginal communities. It will combine education, culture, the arts and sport to create healthy people and healthy communities and the leaders of tomorrow, which will be inclusive of our Indigenous people. The Kaiela Institute, the University of Melbourne and the Greater Shepparton City Council are working very closely, and this is one of many examples of what they are trying to achieve. It is an example of creating opportunities for Indigenous people led by, as I said, Indigenous leaders.

I also acknowledge Uncle Bobby from the Shepparton reconciliation action group and many others within his formation within that group that tirelessly are working and progressing better outcomes for Indigenous people. We have had many conversations about what that should look like. I know this legislation is going to be something that we can all work together with, not only within my community and in this place but across our state, our country and hopefully more broadly, so that the future of young Indigenous people is not only safer when it comes to their housing and their family's environment but also their opportunities. I often ask: why don't we have more Indigenous children, teenagers, involved in more community activities, particularly employment? We go to McDonald's, KFC, the many places that we see teenagers and young people employed and we do not see enough Indigenous people. How can we improve those outcomes? How can we improve engagement to make it a culturally safe experience and place? Hopefully we will create much better interaction and opportunities as we move forward.

The safety of children is paramount, but it is also about making sure that families have the support that they need so that we can improve on this legislation so the outcomes are so much better than what we have seen. Closing the gap – it has not worked. It has not worked to the capacity that any of us had hoped. What can we do differently? We know that this legislation will be that driver, along with many other things.

My close friend Aunty Fay Lyneham from the stolen generations tries so hard to make a better life for her people. We have so many conversations about her experience. She does not want to see those experiences still happening today, and in some cases they still are to the same extent that happened many years ago. Why have we not progressed to the point where we are now having a much different conversation and much better statistics? There is so much work to be done. I think it is so important the collaboration of the different service providers but also as we say the empowerment of Indigenous people. We want their voices to be heard. We want to support them in the ways that they need support, whatever that looks like. Let us have those conversations. Let us work together as communities. Let us work together as a state. I really, really hope that we can achieve an inclusive environment where they feel heard.

I am surrounded, as I said, by incredible First Nations people who are leading the way for their people, and I know that the people that I have mentioned today and many others and all of us here collaborating and driving change and working with this legislation and this new bill will give hope, but that word 'hope' is an easy one. It is an easy one to throw out. We have always had hope, but that hope for change is why we need to do things so much better. I support this legislation. I support this bill, but more than anything it has got to be more than words.

Paul EDBROOKE (Frankston) (15:19): I am so glad I sat down to hear that. That was a fantastic speech. Thank you for that. It is amazing to be in this chamber for some of the brightest and best times in Parliament, and that is when we agree to a bipartisan approach to a bill, especially something as important as this, and especially on a bill that so many people require, probably, some education on. People in my generation did not have education about First Nations people. It was, 'There's a didgeridoo, there's a painting and that's a culture.' We had no idea about what happened to that culture. We had no idea about the rich nature of that culture and how long that culture had actually been around – indeed, the longest ongoing living culture in the world.

I would like to start by paying my respects to the Indigenous community and those that identify as First Nations and traditional owners in the area of the Mornington Peninsula. For those who are not from the lovely Mornington Peninsula but would love to live there or love to visit there, you are welcome –

Members interjecting.

Paul EDBROOKE: Come on, mate. Well done. It is actually the home of the largest community of people that identify as First Nations people outside of Alice Springs, and we are pretty proud of that. We have got Uncle Mik and Uncle Shane, who are regular visitors to events in Frankston, and we have got the amazing Karinda Taylor, CEO of First Peoples Health and Wellbeing, which as well as being in Thomastown has a clinic in Frankston. The work they did during and after COVID – to see that data is absolutely amazing. They worked their butts off for their community. It is people like those people and their community down on the peninsula – I bring them up because can you imagine the patience, the resilience and everything they and their families have gone through to get to a stage where we have finally got a government that says that having a First Nations voice at a state level and now a federal level is important? Having that truth-telling, having that Voice to Parliament as well is so important – and that self-determination. That is the only way we are going to get self-determination – by allowing people to actually feel like they have got the confidence that, yes, they have a voice, they have always had a voice, but it is finally being listened to. So to these people that I work closely with in my community I say: this is for you, about you and by you as well, because this bill is a result of some of the findings of the Yoorrook Justice Commission, and as we have heard from the previous speaker there are quite a few clauses in this bill to do with Indigenous children that came out of recommendations from the Yoorrook commission as well.

As I have said, we do have a proud Indigenous traditional owner population on the peninsula, and it would be wrong for me not to mention the folks at Nairm Marr Djambana, our local gathering place. They again have been patient. They have been resourceful. They have always had a voice, but to know now that their voice is being listened to I know means a lot to them, and we have spoken about this for a long time.

This bill essentially reflects on the government's commitment to that Aboriginal self-determination that we have spoken about and progressing that through a range of mechanisms, including legislative reform through this house and the other place. The bill proposes amendments to embed recognition of Aboriginal self-determination across child protection and health and also makes technical amendments to improve the operation of four other key regulatory schemes. We have heard from other speakers about some of the facts, but nothing hits you in the face more than knowing that Aboriginal children are 22 times more likely than non-Aboriginal children to be in out-of-home care. At that stage, once you hear that fact – and it is an undisputed fact – you have got to start thinking, 'Well, how does that affect those children? How does that affect those families, and what can we do about it?' It is why we

are sitting in Parliament now. It is why we are legislating bills, and to some extent there is always to and fro during question time, but certainly to stand here today and hear people from both sides of the house and indeed crossbenchers, the minor parties and the Greens political party, too talking about this in a fashion where we are actually passionate about forwarding this is quite amazing, because as I touched on before, my generation were not educated on what actually happened in the history of our country. We just were not. My children at 14, 16 and 18 – they are, and they question things.

I think it is great the curriculum has changed, because now we have a generation of people that accept that there are a lot of things we need to do to make it right, and it starts with that self-determination. Now, for those who have read *Dark Emu*, there are disputed facts and whatnot if you read your history books – I know that. It is a sad fact that – what am I now, 43? – at about 40 years of age I started reading these books and really digging into our history, digging into why the name John Batman made people who I care about in my community cringe. I am not going to get into the debate about statues and whatnot here in this place at the moment, but where we introduced this legislation and where we are talking about and debating this legislation today was a meeting place – on this hill – and basically people were cheated out of it. It was going to be called Batmania, and even the British colonies at the time could not stomach that. That says a lot about some of our explorers and the way they went about things.

To take that one step further, knowing that the signature from one tribal leader or one clan leader on this part of the peninsula is pretty much the same as the signature from a clan leader on the other side of the peninsula where John Batman acquired his land just does not quite make sense today. I think it is great that we have got people in this chamber that are educated. We have got a generation coming up that is educated about things that have happened in the past, the point of the matter being I guess that they realise that we are the only commonwealth nation without a treaty with its First People.

I joined in the Treaty of Waitangi anniversary only a month ago with members of our New Zealand community, and it was a great conversation. It was heartwarming to see former politicians stand up at a Treaty of Waitangi anniversary and actually speak in Māori, actually sing songs in Māori, and be proud of the people that were here before us. Because if you look at this like a book, if you look at this like an encyclopedia, our First Nations people are the first two inches of that book, and the 200 years that we have been here is but one paragraph, if that.

Uncle Mick, down in Frankston, says something that is very poignant. He says it a lot, and I have said it in this house before. He often says to people when he is educating, when he does his welcome to country, ‘Be careful everywhere you step. Be gentle, step gently, step with respect, because everywhere you step is somewhere where an Aboriginal baby was born. We have been here for 60,000-plus years.’ I think there is absolutely no better signal to our First Nations people, our First Nations community and our First Nations friends that their battle has been worth it. Their battle for so many years has been worth it. We are listening to their voices, and in the highest legislative house in Victoria we are now talking about their issues, we are now talking about how to right the wrongs of the past. That makes me very proud, because we often sit here and, as I said, exchange a few blows over the dot-dash kind of tax bills and whatnot, but this actually really matters. This changes lives. This will change lives in my community, and it will change lives in the communities of everyone in this legislative chamber.

I think there is a realisation of that today. I was watching in my office, and I came in and could actually feel the respect. I could feel that people are in the mood for change and people want to see this legislative change, and I hope that that sends a signal to some people that have been very patient and that led protests in the 1970s. Some people in their community do stand on the shoulders of giants, and we have heard some of those names mentioned by the member for Ripon. I think they know that they are now being listened to and importantly it is being acted on. As the previous member said, words are cheap but actions cost money. I commend this bill to the house.

Sam HIBBINS (Pahran) (15:29): I am pleased to speak on behalf of the Greens to the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. This bill is about one of the very important things, one of the most important things, we can debate in this Parliament, which is addressing the ongoing trauma and injustice caused by colonisation.

First Nations people were violently dispossessed and had their families separated, children taken and land stolen and destroyed. Too many of the harms of colonisation remain in this land. We see in the laws and the policies that led to entrenched disadvantage, deaths in custody and children being taken from their families the trauma and impoverishment of many First Nations people. There is systemic racism embedded in laws, in policies and in organisations, and it does continue to affect the lives of First Nations people.

In Victoria we have recently begun the steps towards justice and healing. We have begun the treaty process and embarked on truth-telling with the Yoorrook Justice Commission. This process of truth-telling is fundamental towards the journey of justice and healing, as is the Voice and as is a voice. Certainly I support the Voice to Parliament and the upcoming referendum, because we need to understand and reckon with the horrors of colonisation and the ongoing impact it continues to have on First Nations people and their cultures. It is timely that we are debating this bill at a time when the Yoorrook commission is considering the child protection system, the lasting impacts of the stolen generations and the continued harms caused by the current system. We are hearing that there is so much more to do to close the gap and to secure true justice for First Nations people. We do need systemic reform to address entrenched health and educational disadvantage, to stop the over-policing of First Nations people, to keep kids out of prison and to stop deaths in custody, and particularly much-needed reform to address the continued removal of First Nations children from their families and their homes.

The Greens are pleased that the government has committed to reform early in this term of government. We had two pieces of child protection legislation before the previous Parliament. Disappointingly, the government failed to progress either of them before Parliament was dissolved prior to the election. This work should be a priority of all governments. Too often the child protection and family services portfolios and issues are overlooked and underfunded. In the last 18 months in Victoria we have had five different child protection ministers. The system has been steadily descending into crisis. We have been failing our First Nations children by failing to address the rising rates of removal from their families and homes.

The facts are extraordinary. Victoria has the highest rate of First Nations children in out-of-home care – 103 per 1000 children, which is double the national rate. One in 10 First Nations children are in care. One in three are known to child protection services, and that has been getting worse. First Nations children are currently 20 times more likely to be removed from their families and placed in the child protection system than their non-Aboriginal peers; this is more than a doubling of that rate in the past 15 years. We know that the separation of children from their families has many harmful and long-term effects for children. It causes entrenched social and economic disadvantage, long-term impacts on physical and mental health and increased contact with the justice system. We need to start reversing this upward trend in numbers of First Nations children removed from their families, so we are supportive of measures in this bill that aim to reduce the number of First Nations children in out-of-home care.

This bill, in detail, will expand the role of Aboriginal community controlled organisations in the child protection system, allowing agencies to be authorised for any specified child protection functions following the receipt and classification of a report. It will allow for earlier intervention and targeted support for First Nations families. It will introduce a new statement of recognition of the impact of past government policies on Aboriginal people and a recognition of principles that must be considered by decision-makers like judges and child protection workers. It enshrines in legislation five elements of the Aboriginal child placement principle, adding prevention, participation, partnership and connection to the legislation alongside the existing placement. We know and the Greens know that

continued over-representation of First Nations children in care and the increasingly widening gap must be addressed as a priority, and we support measures that empower Aboriginal controlled community organisations to manage the care and protection of First Nations children and to offer early intervention and support prior to any interaction with the justice system.

Now, we do hold some concerns with the development of the bill and the impact of some of these reforms in practice. As noted by some of the key stakeholders, aspects of the reforms are largely symbolic and must be implemented hand in hand with major systemic reform. While the government's commitment to all elements of the Aboriginal child placement principle is welcome, we note the Victorian Aboriginal Legal Service's (VALS) concerns that these changes will mean little in practice and differ little from current legislation. While the statement of recognition acknowledges harmful laws, policies and practices of governments past, it does not include a full admission that many of these practices still continue today. And most concerning, it has been incredibly disappointing to hear that the government has not fully consulted with all relevant stakeholders.

Both the Victorian Aboriginal Legal Service and Djaara, two incredibly important Aboriginal controlled community organisations, have expressed frustration at the limited amount of consultation offered on both this bill and its previous iteration in 2022. Both have highlighted concerns with aspects of the bill and requested that the government and department work with them on addressing concerns on a full redesign of the child protection system so it works better for First Nations women and children.

The Greens raised these concerns last year with the then minister and asked him to urgently meet with both Djaara and VALS to undertake genuine consultation on proposed changes in the bill. It is incredibly disappointing to discover that on the introduction, or reintroduction, of the bill this did not occur, even though it has been six months, and it is even more important because this is a bill that seeks to empower entire the First Nations community through self-determination. It is absolutely critical, and it cannot be achieved unless all First Nations organisations and groups, critical groups, are included in that consultation. Their views need to be considered and incorporated in this reform.

As VALS noted, it is impossible to properly design a child protection system for Aboriginal children without involving the Aboriginal legal services that represent them and have the legal expertise required to understand the impact of legislation on children and parents in practice. We will have more to say on the bill in the other place, but I would certainly urge the government to consult properly with VALS and Djaara and genuinely engage with them on their concerns. The Greens will be supporting this bill in this place, and we wish it a speedy passage.

Will FOWLES (Ringwood) (15:38): Indeed it is a humbling honour to be able to make a contribution today on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. Much has been said in this chamber about many of the challenges facing our First Nations Victorians, and I want to commence my contribution today by just rolling back a fraction to the 2017 national constitutional convention, where the *Uluru Statement from the Heart* was written and endorsed by Indigenous leaders from right around the nation. It is neatly summarised as truth, treaty and voice. Those leaders sought, in particular in relation to the federal government, that there be a truth-telling commission, that treaty be negotiated with First Nations peoples and that we enshrine a voice to the Commonwealth Parliament. The *Uluru Statement from the Heart* is not a particularly long document, and I would encourage people to read it. I just want to quote from part of it, if I can. It says:

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs.

This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

It goes on to talk about sovereignty as being a spiritual notion and outlines what is described as the torment of powerlessness. It is a profound document. As I say, it is not a long document, and I do encourage members to read the *Uluru Statement from the Heart*, because it really is one of the most significant steps I think we have taken on the journey towards reconciliation with First Nations peoples. They go on to say that they:

... seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

‘When we have power over our destiny our children will flourish.’ They are powerful words, and it is that exact sentiment that sits at the heart of the bill we are considering today.

We know the evidence tells us that there is a massively disproportionate incidence of Aboriginal children being in out-of-home care. It is 22 times more likely than for non-Aboriginal children – 22 times. We risk standing on the precipice of another stolen generation. This is a set of circumstances that is equally horrifying as it is challenging, but it is a challenge this government is up for and a challenge this Parliament is addressing in part today through this bill. I could not be prouder that we are taking those steps, because the evidence is clear that the single biggest factor in improving health and social outcomes is self-determination. It is not just about the respect that you confer by saying self-determination is the principle that we are going to enact. It is not just about the inherent decency of determining that that is a guiding principle. It is also the evidence base, the data, that tells us you get better outcomes when you do it that way. That is why this bill provides these significant reform opportunities to achieve that self-determination and self-management for Aboriginal people and to strengthen provisions that uphold the importance of culture for the safety of Aboriginal children.

We know that if parental care is not available, kinship care is way, way, way better than out-of-home care and state care for Aboriginal children, and what we must do is ensure that those opportunities are made available wherever possible and empower those communities to take charge of that process, to be both the instigators and the deliverers of a process that respects the traditions of that community, the culture of that community and often the familial and kinship ties of that community. So the bill progresses key commitments and priority strategic directions under what is known as *Wungurihwi Gapgapduir*, and I am sure I am not the first person to have mangled the pronunciation of that today. At the heart of that strategy is a commitment to the reduction of the over-representation of Aboriginal children in child protection and out-of-home care. The question then is: how to do it? We are saying that by enabling the advancement of Aboriginal models of care and by transferring decision-making for Aboriginal children to Aboriginal community controlled organisations we will just get much, much better outcomes, and it is not a great leap into the dark to do so. We do have a genuine evidence base to support this proposition, and in some respects some of these reforms are overdue, but I am very proud to be part of a government that is nonetheless tackling these reforms head-on.

I want to talk for a moment a little bit about the importance of truth, treaty and voice and the way in which it is being enacted in the Victorian context. The *Uluru Statement from the Heart* was directed principally towards the commonwealth government, the national government, but nonetheless the principles enunciated in that very powerful document are ones that have been picked up by the Victorian government, and I am delighted that Victoria is the leading jurisdiction in the nation in delivering all three of those things. We have a truth and justice commission, we have an Indigenous Voice to Parliament through the First Peoples’ Assembly and we are in the process of negotiating treaty. In every respect we are nation leading on these things, and I think that is something which the entire Parliament ought be proud of but, I have to say, most particularly the government ought be proud of.

This bill, in terms of its relationship with treaty, acknowledges that process and our shared aspiration to achieve increased autonomy in Aboriginal decision-making, including greater control of planning, funding and administration of services, including through those self-determined Aboriginal representative bodies established through treaty. It is broader in terms of the principles than just the matter of out-of-home care for Aboriginal children, because it enshrines now, in a very practical way,

the importance of making sure that decisions that affect the health, wellbeing and welfare of Aboriginal communities and their members are first and foremost dealt with by Aboriginal-controlled organisations. As I say, that is not just about decency, it is about the outcomes. The outcomes are important here, and we are falling well short of where we need to be.

The bill is an acknowledgement that Aboriginal children achieve better outcomes and the over-representation of Aboriginal children in care is reduced when Aboriginal people and organisations are involved in making decisions for Aboriginal children. It is a pretty simple premise. To afford that dignity and that respect is not only right and proper, it is ultimately something that will result in those better outcomes and have us begin to put serious downward pressure on these frankly horrifying statistics about the gap between the proportion of Aboriginal children in out-of-home care versus non-Aboriginal children.

The bill also amends the act to expressly include all five elements underpinning the intent of the Aboriginal child placement principles: namely, prevention, participation, partnership, placement and connection. By adding that word ‘connection’ it gives prominence to the principle and clarifies that it is to be applied to all decision-making regarding Aboriginal children, not just in relation to a placement decision. This is important because we recognise that these decisions, though vexed and enormously challenging, occur in context – in cultural context, in family context and in geographic context in some respects, because that connection to country is so important. I wish I had more time, and I do wish this bill a speedy passage.

Steve McGHIE (Melton) (15:48): I rise today to speak to the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. Firstly, I want to acknowledge the traditional owners of our land and pay my respects to their elders past, present and emerging.

Despite Aboriginal people making up only 3 per cent of the overall Victorian population, Aboriginal children and young people constituted 21 per cent of child protection cases as at December 2021. Service delivery and systems designed to specifically prevent Aboriginal children coming into contact with child protection are certainly failing us.

I am pleased that those opposite are supportive of this bill, and I acknowledge the contribution from the member for Shepparton. She said that it is not just about words, and she is absolutely right. It would be great if those opposite, both at the state and federal level, would commit yes to the Voice campaign well before the referendum later this year. It is not just about words, it is about actions, and I wish they would act on that prior to the referendum later this year.

This government has made a vow to overhaul Victoria’s child protection system. Too many First Nations children are being taken away from their families at the hands of the state, and obviously that must be so traumatic for those children and the families when those things occur.

We acknowledge the impact of colonisation to this day and seek ways to rectify our past wrongs, including through truth-telling and the development of treaty. I am pleased to be part of a government that is well in advance with regard to a treaty for the Victorian state. It is fantastic to see that process in motion. We are deeply committed to Aboriginal self-determination and to supporting Victoria’s treaty and truth-telling processes, and that requires a systemic reform of the whole system. The harmful effects of colonisation and the subsequent disconnection of First Nations people from Aboriginal culture has led to the alarming and distressing statistic where Aboriginal children are 22 times more likely to end up in out-of-home care compared to non-Aboriginal children. The bill seeks to address this issue by providing guidance to decision-makers, using the statement of recognition principles. Assisting Aboriginal children and their families by working with them to preserve their culture, their community ties and their connection to the land will be instrumental in breaking the cycle of intergenerational trauma that resulted from past policies.

The Victorian government has new areas of focus that will help to deliver inclusion and access and uphold rights, focusing on important areas of co-design with people with disability, Aboriginal self-determination, intersectional approaches, accessible communications and universal design, disability-confident and inclusive workforces and effective data and outcomes reporting. Treaty is the embodiment of Aboriginal self-determination, and it provides a path to negotiate the transfer of power and resources for First Peoples to control matters which impact their lives, much as our friends in Canberra are working to progress.

In 2023 all Australians will have their say through a referendum, as I raised earlier, that asks to recognise Aboriginal and Torres Strait Islander people in the national constitution through an independent, representative advisory body, to give them the voice that they so richly deserve, to speak to the matters that affect them – and again I say and reiterate it would be fantastic if those opposite at both state and federal levels would come forward and support the Voice to Parliament with a yes vote and acknowledge and be bipartisan in regard to the outcome of that referendum – a body that will be in a position to provide independent advice to Parliament and government, that will be chosen by First Nations people based on the wishes of local communities and that will be representative of Aboriginal and Torres Strait Islander communities. It will empower, it will be inclusive and it will be community-led. It will be respectful, culturally informed and gender-balanced, and also it will include their youth. That will be accountable and transparent, and it will be able to work alongside existing organisations and traditional structures – and it will not have a program delivery function and it will not have a veto power. So a lot of the noise and movement around the concerns that people are raising or the questions that need to be answered is really just dredging up some mud and trying to confuse people with regard to the way that they might vote.

A model for the Voice that enables self-determination is therefore critical for promoting strong and safe communities where Aboriginal and Torres Strait Islander people are better able to transcend challenges and cycles of powerlessness. Bringing into line the federal constitution with the UN Declaration on the Rights of Indigenous People and creating self-determination principles that are robust and can operate independently not only encourages participation of Indigenous peoples in matters that affect their rights and lives but ensures that here in Victoria our pursuit of treaty and truth is front and centre of our agenda.

We have led the way to action with the *Uluru Statement from the Heart*. Truth-telling recognises the incredible strength and survival of Aboriginal people, ensuring their voices are heard and certainly respected. Reviewing the funding arrangements, implementation and governance through the Aboriginal Children's Forum – and look, in December last year Aunty Eva Jo Edwards told her story to the *Guardian*, and she said that she cannot remember life before institutions. She was five when she and her sisters and her brothers were taken into state care. Her earliest memory is a torch being shined in her face, waking her in the middle of the night, and then the next day they were removed from their home. She was separated from her brothers and her sisters, and she knows that it was because of the colour of her skin. For 13 years she was in institutions and in family group homes. She said that she was never told that she was loved or needed or given any hope for a future and – it is hard not to think consequently – struggled with abandonment issues and addiction for much of her life. Her brother took his own life, sadly. These are some of the traumas that Indigenous youth go through when being removed from their families. I would make an assumption that most of us in this house would never, ever have experienced any such traumas in our families, and I hope it never happens to any other families.

Organisations like the Victorian Aboriginal Child Care Agency, VACCA, will be empowered to investigate child protection cases and connect families with support before a court order is made. Early intervention and culturally grounded support will reduce the number of Aboriginal children entering care. Certainly I agree with the CEO of VACCA, Muriel Bamblett, when she points out that the legislation highlights exactly what can be achieved when Aboriginal-controlled organisations demand better outcomes – that it helps to break the cycle of higher rates of Aboriginal child removals and also

makes inroads in addressing family violence and that strengthening the whole family is important and the way forward.

Since the Mabo case our legal system can no longer hide behind terra nullius. We have unfinished business to resolve, and through agreement-making we can do this. We can capture the aspirations of the country for a fair and honest relationship between government and all communities and create a future infinitely better for our children based on self-determination and justice. Self-determination builds cultural strength, reassigns control and agency and makes practical changes to daily life for First Nations people. It is through these negotiations at the highest levels that First Nations sovereignty becomes the law.

The proposed bill in the house reflects the government's dedication to Aboriginal self-determination and seeks to advance it through various means, including legislative reform such as this. The bill proposes amendments that embed recognition of Aboriginal self-determination across child protection and health and makes technical amendments to improve the operation of four other key regulatory schemes. This bill seeks to incorporate recognition of Aboriginal self-determination in child protection and health through the introduction of these amendments and aims to enhance the functioning of other significant regulatory schemes through technical amendments, including the removal of some outdated terminology.

This is a really important bill. As I said before when I started my contribution, I am pleased that those opposite are supportive of this bill. I go back to what the member for Shepparton said and I reiterate that it is not just about words, it is about actions, and I hope those opposite will take the strong action and support us in the yes campaign and certainly in supporting this bill. I commend the bill to the house.

Vicki WARD (Eltham) (15:58): I thank the previous speaker for his speech and his words. I also acknowledge the Wurundjeri, the traditional owners and custodians of the land on which we gather and the traditional custodians of the beautiful environment where I live, and I express my gratitude for being able to live in such a beautiful place.

Earlier this week I took some young people on a tour of our Parliament, and we went into some of the different buildings, such as the library, which as we know is amazing and beautiful, and spoke to them about the development of this building, the building of the two chambers here, the causeway connecting the two chambers – which I imagine was pretty muddy at times – and how then as gold rush upon gold rush occurred more and more things were added to this building. I reminded them of how quickly this all occurred. We have Batman rock up from Tasmania with his bits and pieces and have a bit of what he calls a negotiation. I am really still not sure if the Wurundjeri know exactly what it was that Batman was talking about, but we had this immediate dispossession and disempowerment of people that happened in such a quick period of time. Melbourne is settled so quickly. Gellibrand comes up and he just starts slicing and dicing huge tracts of land to give to treasured friends. It is quite astonishing that within 20 years we start building this Parliament. Within 20 years of Batman's very dodgy deal we end up with a whole community being dispossessed and disempowered.

I commend our government for the work that we are doing in redressing this systematic disempowerment that has happened to First Nations peoples in this state, and I do recognise along with so many others how long it has taken us to get to a point of this recognition, of this acceptance, and attempts to make amends and attempts to be more inclusive and respectful of First Nations cultures. I am especially pleased that we are continuing to do this with such honourable intentions and for the consultation that has gone in across our government, the work that is happening with First Nations peoples to really have that sovereignty of self.

This bill progresses key commitments and priority strategic directions under *Wungurilwil Gapgapduir: Aboriginal Children and Families Agreement* from 2018. At the heart of this is a commitment to the reduction of over-representation of Aboriginal children in child protection and out-of-home care, and every speaker today has spoken about their horror at the numbers of Aboriginal

children who are so grossly over-represented in our out-of-home care. It is really terrible, and we need to do something to ensure that these kids have got the best opportunities in their lives, have got the best care but are also in an environment where they feel trusted and where they feel loved and where they see themselves reflected in the environment in which they are living. We need to enable the advancement of Aboriginal models of care and transfer decision-making for Aboriginal children to Aboriginal community controlled organisations, and this bill is a really important part of achieving that vision. I think that that sense of, again, self-governance, of being able to have custody – and I mean that in the sense of administration – of a process to work out where a child is best placed, who is the community that can best support that kid, by the people who are living in that community is paramount. We know how important it is to belong and to see yourself reflected in others. We know how important it is for kids to feel safe and to be in an environment where they, as quickly as possible, can develop a sense of trust. We know how much easier that will be for Aboriginal kids to do in families where they see themselves reflected. So wherever possible Aboriginal kids need to be with culture and faces, voices and language that is familiar to them. We know that this is how we will get the best outcomes. We need to have Aboriginal people and organisations involved, absolutely, in making decisions for Aboriginal children, and that is how we will get the best outcomes for these kids.

Yesterday I spoke about Aunty Pam Pedersen, who is an amazing woman who for many years lived in my community. She has been an elder on the Koori Courts for many years, and she has used her role as an elder to support kids who have made wrong decisions and who have made wrong life choices. Her voice, her face, her compassion is important in helping kids understand their actions, understand the consequences. But also her genuine compassion and caring is equally important for these kids – to have somebody that they know they need to respect because she is an elder. Having her talk to them around their transgressions, around how they can be better, and give them, in language that is familiar to them, instructions on how to be better is incredibly important. I am not suggesting that kids in care are going through the same process as being managed by an elder, but knowing that you have innately got to have that respect for someone, which is so important in traditional culture, should be reflected in how our kids are looked after in care and how our kids feel that they are also being respected in care.

This bill reinforces the Victorian government's commitment to Aboriginal self-determination in health and child protection systems and acknowledges the importance of culturally safe and appropriately resourced services to meet the health and the wellbeing needs of Aboriginal people in Victoria. You will not be surprised to know this, and I am sure other speakers have commented on this as well, but we will be the first jurisdiction in this country to do this. This is not the first transformative and important change that this government has made, and it certainly will not be the last, because as you know we are a government of reform and we are a government that is not afraid to be the first to do anything. In fact we celebrate it – we absolutely celebrate it.

So we will be cementing into law our recognition that Aboriginal people are best placed to make the decisions and lead the services that keep Aboriginal children and families safe and strong. What is great about this bill is that it is our next step towards overhauling the child protection system for Aboriginal children, and we look forward to working with the Yoorrook Justice Commission and the Victorian Aboriginal community to drive genuine and real change – change that will make a difference, change that will help kids have better lives, better outcomes and better choices but also better opportunities.

We talk a lot about opportunities on this side of the house. We talk a lot about equality; we talk a lot about fairness. We have got to make sure that we as a government are extending that hand of opportunity to every single person in this state, particularly every single child. For any child who needs to have additional support or needs to have a framework put around them to help them grasp those opportunities, this government needs to implement those, and that is exactly what we are doing. I share the comments of others on this side of the house that have been grateful for the support of those on the other side of this chamber who are supporting this bill and this amendment, because it is important to do this as one voice. It is important for us as a chamber to be united on issues like this, which are so

important. It is a very important message to send to our First Nations communities that in this Parliament it is not political, it is not just the ALP, it is not about pointscore, it is not about collateral damage and it is not about one-upmanship, but it is a genuine commitment by this Parliament to make things better, to improve things for the lives of First Nations people and to work collaboratively to create outcomes that help create those opportunities for our First Nations kids, because it is important. It is really important, and it is our responsibility. We owe this to our First Nations people to do everything that we can to give them the best opportunities to improve their life expectancy, to improve their health outcomes, to improve their education outcomes, to close the gap that we as a non-First Nations community in Victoria and across our nation have been promising for decades.

Those of us on this side of the house well know Paul Keating's famous Redfern speech. We well know how long the commitment to improving the lives of First Nations people has been on this side of the chamber and across politics for decades, yet we are still struggling to make inroads. This government, however, is making genuine change. We are making genuine change that will matter to people and will show how much they are respected but will also show how willing we are to create opportunities and supportive frameworks that help those opportunities to be grasped and be realised. I am very pleased that this government is taking this step. I am very pleased that we as a government have got a commitment to doing everything that we can to improve the outcomes for First Nations people but most especially that we are focusing on First Nations children and doing everything to give them opportunities so they know that they are cared for.

Darren CHEESEMAM (South Barwon) (16:08): Today I rise to make my contribution on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. I must say right from the word go in my contribution that I very much wish to acknowledge the Wadawurrung people, the traditional owners of the land that my seat sits on and the home of the community in which I reside. Over the years as a representative of the Geelong and Surf Coast communities I have got to meet and got to hear firsthand the stories from Corrina Eccles – a Wadawurrung woman and a traditional owner of those lands and seas in and around Geelong – and I have got to hear firsthand the trauma that her family and her community have experienced since white settlement. I think we very much need to take every opportunity to recognise that their lands were stolen from them. Their culture and their practices were taken from them by white settlers in that period of time. Their community in so many ways was displaced from their lands, and they were in so many ways exceptionally brutally treated by white people.

I had the opportunity to hear one of her stories at an event over the summer period, where they were able to record the first child in their nation that was stolen back in the 1860s from them. Over the years I have very much got to hear that story. The reality is that the child protection system that we have in place continues to see our Indigenous people treated very poorly. We continue to see young people in harm, and we continue to see that First Nations people have been isolated from the opportunity of putting in place self-determination mechanisms to provide much, much better outcomes for our First Nations people.

I very much want to commend the journey that Australia has gone on over the last few years and very much commend the work of this government in coming to treaty. I think we have got some way to go, but we have started that journey. In delivering that journey, ultimately there are a whole lot of things that we can expect to see where self-determination and government support in that self-determination will be very much a feature, I hope, of our political landscape. Indeed we have the opportunity as Victorians through the course of this year to participate in that debate on the Voice, providing that opportunity for our First Nations people to be engaged in our political debate and have that opportunity to have their views heard in a way that is meaningful and opportunities for legislators to be able to respond.

Our First Nations people have suffered horrifically as a consequence of European settlement in this country, and that very much of course extends in some ways in a very brutal way to our First Nations children. I would like very much to be on the record saying that we need to in a much more meaningful way engage our First Nations people, including in the health and safety of our children throughout the

Victorian community. This bill I am hopeful will pass through this chamber and will pass through the Legislative Council. I am hopeful that with its implementation we will start to see much, much better outcomes. Our Indigenous people are a proud people. They have and should expect that opportunity to determine their own future, and they have very much said to me, certainly in a local context, that they want to have and want to be at the heart of decision-making around their own circumstances.

It is disappointing, on such a serious bill as this, that the opposition cannot sit there quietly and listen to the contributions, to be frank, that are being made. We have a long way to go as a society, though I think the actions of the Andrews Labor government and the partnership that we have with our First Nations people are such a tremendously strong platform on which to build a stronger way forward. I look forward to that.

As I said, I have had over many years the opportunity to hear from Corrina Eccles, a proud Wadawurrung woman, about her family and her culture and the challenges that they have had since European settlement. I look forward to continuing to learn from her about those challenges and her thoughts about a new way forward where our Indigenous people are consulted and are at the heart of decision-making around their families and around their kids and the way that they interact with government. I think this is a profoundly important journey. It will not necessarily be an easy journey, but I look forward to engaging with her, engaging with her community and building a stronger foundation as we move forward.

I very much look forward to either a treaty or treaties being negotiated through Victoria and, I hope, through the Commonwealth that build a more important and profound partnership and a way forward that recognises the injustice and recognises what European settlement has done to such a proud and important culture. This bill is an important way forward. It is only one of a huge number of ways that we need to address the history of European settlement and what it has meant for our proud traditional owners. I look forward to going on that journey with them. I look forward to arguing with those that might have a different way forward, because I think this is such an important thing that we do. Self-determination is so important. When you look at countries similar to Australia that have proud traditional owners, treaties have played an important role, and legislation like this plays an important role in self-determination.

I look forward to the bill passing and I look forward to us establishing a much stronger relationship that at its heart recognises our traditional owners, the role that they play and their continuous, ongoing living in our landscape for up to 70,000 years. I commend the bill to the house, I look forward to its speedy passage and I commend the minister for this important work.

Peter WALSH (Murray Plains) (16:18): I rise to make a contribution on the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. This bill does a number of things. It sets out a lot of principles, which I will go through in a minute. I suppose, as the shadow minister and as a local member of Parliament who has a significant Indigenous population in their electorate, aspirations and statements of intention are good, but what I find day to day as a member of Parliament is I want issues resolved, and that is one of the challenges we have.

We are supporting this bill because we hope that it does deliver real outcomes for our Indigenous community, but too often we – me and other country MPs – find through our offices issues with Aboriginal people that cannot get the services they need, particularly younger women, single mums, that need public housing. We have had some real challenges in my office getting those people housing. One of the first tenets of solving disadvantage in the community is making sure people have a house to live in, making sure they have a job or an income and making sure they have an education and have the aspiration of improving their lives compared to their forefathers and foremothers. This has a lot of aspirations built into it. I hope that we can come back here in a number of years and see that things have changed for the Indigenous community into the future. I preface what I say around the fact that we support the aspirations and hope with all hope that they are achieved, but if history is repeated, it

would say that this bill and these changes will not necessarily make the changes the government is aspiring to unless they make a real effort to actually achieve something.

Having put that caveat on what I am saying, this bill includes an Aboriginal statement of recognition and recognition principles relating to child protection decision-making for Aboriginal children. As I talk to the Indigenous community, they quite rightly aspire to this and believe that if they make decisions on their behalf, rather than the department, there will be better outcomes, and I fully support that principle. Child protection is an area that is stretched to the max when it comes to staff and the issues they have to deal with, and the Indigenous community I think is far better equipped to deal with the children in their community and making sure there is connection to family and connection to country. So I support that principle totally. It incorporates further Aboriginal child placement principles, again about making sure that there is that connection to family and connection to country; it makes amendments relating to the authorisation of principal officers of an Aboriginal agency, which is about accountability in those agencies; it provides for the use and disclosure of information to and by the principal officers authorised under this act to make sure there is accountability; and it enables judicial registrars to exercise powers of magistrates to issue warrants for the purposes of having a child placed in emergency care and to enable judicial registrars to exercise the powers of registrars.

It is important I think, with what is being planned in this act, to make sure that the heavy hand of the law does not get too involved in family matters. Quite often it is a grandparent, aunty or uncle that takes custody and takes responsibility for raising children where there is an issue in the family, and the more that happens the better. But as I observe through my office, sometimes the department gets in the way of that and bureaucracy gets in the way of that, so it is important that that does not happen into the future. If you look at the background to this whole issue, I note in the second-reading speech the minister gave a commitment about meeting the *National Agreement on Closing the Gap* targets and to reduce the over-representation of Aboriginal children in care by 45 per cent by 2031. I would hope that happens sooner than that. I think the over-representation of Aboriginal children in care is a blight on our society here, and I would hope that that target is met well and truly before 2031. But it will only happen if there is a real commitment and real resources – and by resources I mean money – actually placed into those Aboriginal organisations that will take responsibility for this into the future, because if they are not resourced well, if they do not employ qualified people within their systems, we will not meet those targets into the future. So it is very, very important that those resources are there into the future, because there is an over-representation of our Aboriginal community and a whole range of those Closing the Gap indicators that are not being met.

As I said before, if you think about what the core tenet is of resolving disadvantage in our community, it starts with education. If people gain a higher education qualification, they increase their employment opportunities in the future, it increases obviously the amount of money they earn in those particular jobs and it increases their opportunity to own a home and then to repeat that cycle for their children, and that increases the aspiration and the outcomes for those families into the future. There is also the over-representation of our Indigenous community in the judicial system. I think that is again something that needs to be resolved. It is separate to this, but solving that issue starts again with that tenet of education. If people have an education and have good employment, they are less likely to end up in the judicial system and less likely to end up incarcerated, where the Aboriginal community is over-represented again.

If you go through the things where this bill will give an opportunity to do that, it is reducing the over-representation, as I said. It actually gets that kinship arrangement in place, not being managed by the department. I think this is where there is an issue of a stand-off between the department and the union that represents the department employees where they think they should be doing this work, whereas this bill sets out very clearly that the Aboriginal organisations should be doing that, and that is a role that I support. The people that I talk to in the Aboriginal community, as I said, clearly want to take responsibility for their own people and make decisions on behalf of their own people. So I would hope that the government gives them the resources to do that, as I said, because the Auditor-General found last

year that 84 per cent of the time the department case managers actually fail to carry out welfare checks on children in kinship care. So let us give the responsibility to those that are closest to this issue, which are the families and the organisations that represent Aboriginal communities right across Victoria.

A number of speakers have raised the issues around injustices of the past, and I think that the truth-telling process being carried out at the moment is identifying a whole range of injustices of the past. We acknowledge those. It was an issue that was done by people before our generation, and acknowledging and recognising that is important, but more importantly it is about how we actually do it better into the future, and that is what this is about – delivering good outcomes into the future. Injustices did happen; we all acknowledge it. My family has been here since the 1850s, so whether they were part of those injustices, I have no idea, but that was before my time. From my point of view as a member of Parliament, as a legislator in this state and as a representative of the community, it is about making sure that we actually do it better into the future. We acknowledge the past, we learn from what went wrong and what was done wrongly, but it is also very, very important to make sure we do it better into the future, and that is why our side of politics will be supporting this legislation as it goes through. It was, in a similar form, debated in the previous Parliament, where we gave it support as well because we want to see a better outcome for our Indigenous community into the future. As mentioned in the second-reading speech, it is very similar to a welcome to country that Uncle Wally Cooper from Wangaratta used to give about how we walk across the land together with our Aboriginal fellow Australians. It is not about one or the other, it is about how we do this together, and it is very important that we do do it together into the future.

This legislation, I think, is not about the Voice. The Voice is a separate issue, and I know that has been raised by quite a few people in the debate here. That is an issue for the Commonwealth government and an issue for the Indigenous community to work with the Commonwealth government around. We need to focus on what is in our control to do something about, like delivering outcomes around this. So I would hope that in a few years time someone can stand in this place and actually say that there is more Aboriginal housing, that people are no longer on a long waiting list looking for a house, that there are higher attendance rates at school, that there is higher education achievement by Aboriginal students at school, that there are higher employment opportunities for Aboriginal students because they have gained that education and that because they have earned more money because they have had a better job they can then start the whole cycle where they can buy a house and have the aspirations for their children to attend school and achieve a higher education, and it becomes self-fulfilling once that cycle starts. This is one of the things that will help to start doing that.

Nina TAYLOR (Albert Park) (16:28): I am very happy to speak on this very important legislation and the reforms that are so very much needed for the Aboriginal people of Victoria in particular and for all of us – we are all empowered when Aboriginal people have the absolute right of self-determination. It did cause me to reflect. In my law degree I took an elective where we examined the legislation that previously authorised the removal of Aboriginal children from their families. I am not going to repeat the wording of that legislation, because it was so racist that I fear it could cause more harm and more pain if I were to repeat the actual wording of that legislation, but I am very appreciative of the fact that I had the opportunity along with other students at university to examine that legislation, because one understands the very strange perspective that was taken in drafting that particular legislation, because it is exactly the opposite of what we are seeking here to implement for the benefit of current and future generations of Aboriginal people.

I obviously do not have lived experience, so I do not want to reflect on individual stories, but we did have the opportunity to be exposed to some of those stories, because understanding the legislation properly meant reflecting on how it impacted Aboriginal people at that time and for many, many years subsequent obviously. There are certain memories that can be erased, and that goes without saying. I recall a pattern whereby there would be incidents – and I am talking very broadly and not specifically, because as I say that should be reflected by those with lived experience – where there would be children removed, then they would become what was termed at that time a domestic servant, and then

they would be abused. Apart from being traumatic, it must have been so confusing, because if you think about it, being ripped away from your parent or parents of itself would have been heartbreaking; but then to be literally brutally plonked somewhere, required to do tasks that you probably did not have any training in, or in not necessarily a very supportive way, and not given the actual education that you deserved, and then to be abused as well – one can only imagine what sort of courage it would require to find forgiveness, but also to be able to surmount that kind of trauma. Certainly one would not want to feel pressured to have to surmount that trauma, because it would be just so overwhelming. As I say, I am being very cautious to reflect very broadly, because each circumstance would be individualised to that person's experience, save for the fact that I am very grateful to have had that particular elective, because at least it exposed me to some of the brutality of what was experienced by so many Aboriginal people being wrongly removed from their families, and of course the subsequent trauma that they had to carry and the ramifications that we are still witnessing to this day.

I am very inspired by this legislation because as I was saying from the outset, it is seeking to do exactly the opposite of what that originating legislation was doing in terms of authorising the complete disrespect of culture and of familial ties and of the natural human connection that forms between parents and their children. We know the evidence is clear that the single biggest factor in improving health and social outcomes for Aboriginal people is achieved through Aboriginal self-determination – and I am reiterating this in a similar way to many of my colleagues because we cannot say it often enough, because we know it is just so very important; and it feels right because it is right, it is absolutely the right thing to do. Something that I was thinking about also, it says here:

We recognise ... that Aboriginal people have the strengths and the right to lead change for their children.

When you look at that statement, it is absolutely obvious – of course they do. But we have to very clearly enunciate that, particularly – apart from the fact that it is absolutely correct and appropriate – in light of the history of our country, that is, as a consequence of colonisation. So it is very empowering to see that, but at the same time a part of me says, 'Yeah, of course they have the right to lead change for their children.' But at the same time it is really important that we emphasise it and that it is reiterated as part of this very, can I say, healing; I would like to think there is a healing element to this legislation.

Also I wanted to draw attention further to the element of the bill that is reinforcing our Victorian government's commitment to Aboriginal self-determination in health and child protection systems and acknowledging the importance of culturally safe and appropriately resourced services to meet the health and wellbeing needs of Aboriginal people in Victoria. Again, coming back to that intense feeling – and I do not want to understate the trauma of confusion – not counteracting but completely reforming the attitude that was totally disrespecting the cultural heritage and values of the Aboriginal people; here we are saying, 'No, no more of that', and we now have to make sure that we truly honour and ensure that the processes are culturally safe. I think this also cannot be reiterated enough.

Fundamentally at the heart of this, among the many elements that we are seeking collectively to achieve – and it has been said before, but I am reiterating it because it feels so empowering to be able to affirm it – the bill progresses key commitments and priorities, strategic directions under the *Wungurilwil Gapgapduir: Aboriginal Children and Families Agreement* of 2018, and at the heart, a commitment to the reduction of the overrepresentation of Aboriginal people in child protection and out-of-home care. I think that is a really critical goal of these very important reforms. It is one that I know we collectively definitely want to see as a result of this, and it is not only words. Words are important, because all legislation is built on words, but the words have to have a specific and measurable impact in terms of delivering outcomes that will change lives. I believe that is certainly the intent but also the practical net effect of what these changes are seeking to do, hence they are really critical.

There were a couple more points I wanted to make, but time is running out. There is breaking intergenerational trauma. That is just so fundamental, isn't it? That is really what I think we are seeking to do here, and we absolutely are determined because it has been heartbreaking. There is no need for us to have processes in place which in any way perpetuate that, which we are obviously seeking to

stamp out forevermore. But we are also factoring in that these reforms are trauma informed and come back to that lived experience and that very critical element of Aboriginal self-determination, because of the former ways that were implemented as a result of colonisation and which were fundamentally racist – we cannot use any other adjective, I don't think – where consideration of the families et cetera that were torn apart was obviously not a priority in any way, shape or form. It is obviously critical and timely that these very important reforms are being brought forward for the betterment of Aboriginal people in Victoria and for our whole community. On that note, I commend this bill to the house.

Anthony CIANFLONE (Pascoe Vale) (16:38): I rise in support of the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. In beginning, I would like to acknowledge the traditional owners of the land on which we meet, the Wurundjeri people, and pay my respects to elders past, present and emerging.

As I stated in my first speech, I will be absolutely committed as a parliamentarian to building a fairer and more socially just community. At the heart of this commitment is doing what I can to stand and support First Nations communities through the labour movement and as part of the Victorian Labor government and in striving for voice, treaty, truth and justice for Aboriginal and Torres Strait Islander people. In this respect I am proud to be part of a Victorian Labor government whose whole approach to supporting the health and wellbeing of Aboriginal people has been built upon a commitment to self-determination and includes genuine and meaningful partnerships with the Aboriginal community controlled sector, traditional owner groups and the wider Victorian Aboriginal community, all guided by the *Victorian Closing the Gap Implementation Plan 2021–2023*. I would like to pay tribute to Victoria's First Peoples' Assembly and the co-chairs Aunty Geraldine Atkinson and Uncle Marcus Stewart, who have been playing a leading role in providing voice for Victorian First Nations communities in relation to treaty but also in relation to issues more broadly that impact the lives of Aboriginal and Torres Strait Islander people.

In Victoria we are supporting the *Uluru Statement from the Heart* through voice, treaty and truth, and the model that has been established in this state I hope can provide the assurance and the pathway forward as the struggle towards a voice at the national level continues. And while the establishment of the Victorian First Peoples' Assembly was a tremendous milestone in this state's reconciliation efforts, this bill continues in the spirit of this Parliament's ongoing commitment to close the gap and reconcile with our past.

As we know, through the impact of colonisation and its disconnect from Aboriginal culture, Aboriginal children are, sadly, 22 times more likely than non-Aboriginal children to be in out-of-home care. In terms of why this is the case, at this time I would like to remind the house of the words of former Prime Minister Paul Keating in his landmark Redfern address, which in my humble opinion played a key role in reshaping the entire national discussion to help us get to where we are today on these issues. As he said on 10 December 1992:

Isn't it reasonable to say that if we can build a prosperous and remarkably harmonious multicultural society in Australia, surely we can find just solutions to the problems which beset the first Australians – the people to whom the most injustice has been done.

And, as I say, the starting point might be to recognise that the problem starts with us non-Aboriginal Australians.

It begins, I think, with that act of recognition

Recognition that it was we who did the dispossessing.

We took the traditional lands and smashed the traditional way of life.

We brought the diseases. The alcohol.

We committed the murders.

We took the children from their mothers.

We practised discrimination and exclusion.

It was our ignorance and our prejudice.

And our failure to imagine these things being done to us.

With some noble exceptions, we failed to make the most basic human response and enter into their hearts and minds.

We failed to ask – how would I feel if this were done to me?

As co-chair of the First Peoples' Assembly, Aunty Geraldine Atkinson has also said:

There's no escaping the harsh reality that Aboriginal people have suffered immensely at the hands of the Victorian State.

We were driven from our lands; murdered; herded into reserves; torn apart from our families. We've been unfairly targeted and discriminated against for generations – with the disadvantage and injustice compounding over the years.

But we survived.

We survived the concerted attempts to eradicate us and our culture.

It should be of no surprise that many of our people find it hard to place any trust in Parliament or have faith in Government systems.

Indeed, all too often, these are still the sources of ongoing injustices.

That needs to change and Treaty is way we can change it.

This bill is another critical step consistent with our commitment to treaty at the Victorian level in helping us to reconcile with our past and begin supporting First Nations communities toward self-determination. This bill aims to support Aboriginal children and their families to maintain their culture, community connections and connection to country and break the intergenerational trauma that past policies have created and contributed to.

The bill proposes amendments to embed recognition of Aboriginal self-determination across child protection and health. The bill requires that decision-makers must consider the views of Aboriginal children and decision-makers must uphold their cultural rights and sustain their connection to family, community, culture and country.

This bill includes proposals that represent very significant steps in progressing self-determination for Aboriginal communities, steps that we can take now to improve the system as part of the first stages of an overhaul to allow greater Aboriginal-led service delivery and improve outcomes for Aboriginal children, young people and communities as we progress towards treaty.

Victoria is committed to meeting the national agreement on Closing the Gap targets to reduce the rate of over-representation of Aboriginal children in care by 45 per cent by 2031. This commitment is underpinned by the 2018 Aboriginal children and families agreement that established a landmark partnership between Aboriginal community, government and the child and family services sectors to achieve better outcomes for Aboriginal children and young people. At the heart of this agreement is the commitment to the reduction of the over-representation of children in protection and alternative care. This will be achieved by enabling the advancement of Aboriginal models of care and transferring decision-making for Aboriginal children to Aboriginal community controlled organisations. This bill is an essential part of achieving that vision.

The bill also supports the Victorian Aboriginal framework for the government working in partnership with Aboriginal people to meet the goal that Aboriginal children are raised by Aboriginal families. In particular the bill advances a number of objectives, including eliminating the over-representation of Aboriginal children in care, increasing Aboriginal care guardianship and management of Aboriginal children and young people in care, and increasing family reunification for Aboriginal children and young people in care.

In the health sector the bill progresses a major priority of the Aboriginal Health and Wellbeing Partnership Forum by enshrining commitments to Aboriginal self-determination in our health legislation. This also progresses the government's commitment to Aboriginal self-determination as set out in the *Victorian Government Self-Determination Reform Framework*. Through this bill this

Parliament will specifically acknowledge Victoria's treaty process and our shared aspiration to achieve increased autonomy and Aboriginal decision-making, which includes greater control of planning, funding and administration of services, including through self-determined Aboriginal representative bodies established through treaty. Through this the government will make clear our commitment to treaty and the reform work that is currently underway.

To achieve these goals the bill focuses on the following key objectives: providing for an Aboriginal statement of recognition and an accompanying set of binding principles to guide decision-making regarding Aboriginal children, expressly including all five elements underpinned by the intent of the Aboriginal child placement principle, namely prevention, participation, partnership, placement and connection; and strengthening provisions to enable the effective functioning of the Aboriginal Children in Aboriginal Care program, including enabling authorisation of Aboriginal-led organisations to undertake investigations, respond to therapeutic treatment reports and access information through the department's client database; as well as removing outdated and offensive terminology from the act, which I believe my colleague the member for Albert Park made reference to earlier.

I understand that one of the highlights of the 59th Parliament was the introduction of the Treaty Authority and Other Treaty Elements Bill 2022 last year. I understand that members took part in an emotive smoking ceremony on the steps of Parliament with the traditional owners of the land, which was followed by the historic moment on the floor of this chamber as the co-chairs of the First People's Assembly made an address. Each member of the assembly walked through this place and then was here in the gallery to hear those incredible words from Uncle Marcus Stewart and Auntie Geraldine Atkinson. It is in this spirit of bipartisanship that I hope to see the 60th Parliament work together when it comes to questions and policy reforms that support the best outcomes for First Nations people. As the Victorian Aboriginal Child Care Agency CEO and First People's Assembly of Victoria representative Professor Muriel Bamblett AO has said, this bill represents:

... what can be achieved when Aboriginal Community Controlled Organisations work with their communities to demand better outcomes for children and families – and the Government actively takes up the challenge and commits to self-determination.

In this respect I would like to also draw the house's attention to the good work of the Victorian Aboriginal Child Care Agency, VACCA. VACCA is a statewide Aboriginal community controlled organisation servicing children, young families and community members. The largest of its kind in Australia, VACCA have protected and promoted the rights of Aboriginal children and families for 40 years. In their submission to the Yoorrook Justice Commission in December 2022 VACCA called on the Yoorrook Justice Commission to:

... call on the Victorian Government to pass the Children and Health Legislation Amendment (Statement of Recognition and other Matters) Bill 2022, as an urgent priority.

I am very pleased to be standing here and saying we are progressing that now. VACCA has called on the Yoorrook Justice Commission to:

... look more closely at the status of the recommendations of previous inquiries that relate to the rights of Aboriginal children and families ...

VACCA has also called on the Yoorrook Justice Commission to:

... convene hearings with private child and family services organisation ... that may hold records or materials of Stolen Generations or their descendants, to gather testimony on their involvement as non-State entities in forcible child removal ...

and to consider that in the current context.

In conclusion, this bill makes significant progress on embedding Aboriginal determination in the laws of this state. It also makes a number of changes to increase the effectiveness of Victoria's legislative system. Most importantly, this bill represents a very tangible step towards empowering and supporting Victoria's community to improve outcomes for children and families and improve the health of the First Nations communities. I commend this bill to the house, and in doing so would like to

acknowledge Victorian senator Jana Stewart, Victorian Labor's first First Nations senator, who is undertaking phenomenal work in this space, who I am so honoured to call a dear friend and who is a strong advocate on these issues. I commend the bill.

Iwan WALTERS (Greenvale) (16:48): It is a pleasure to rise to speak on and in support of the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023. At the outset I want to thank the Deputy Leader of the Government in the other place for her carriage of this really important bill and the consultation that she and her team have led with Victoria's Aboriginal community and important stakeholders across the state in bringing this bill to the Parliament. We talk a lot about consultation that informs bills, but in this instance I think it is of paramount importance, because what the bill seeks to achieve is that genuine self-determination that research and lived experience tell us improves outcomes for Victorian Aboriginal children, who at present are in out-of-home care at a rate that is 22 times higher than the population as a whole. That is a tragedy and it is scandalous, and the bill before us today is a measure that in part will seek to address and correct that terrible, terrible statistic.

As I said, the bill reinforces our government's commitment and the commitment of the whole house to Aboriginal self-determination in health and child protection. It is a pleasure to rise after some fantastic contributions from across the chamber. It has been a pleasure to listen to those on all sides and to hear the perspective of the member for Shepparton, who represents a community with a high proportion of Aboriginal Victorians. I think that informed perspective is important, and I thank her for making her contribution today.

The member for Eltham talked about the recency of this building in the grand scheme of things – the fact that this building was commenced only 20 or so years after the arrival of European settlers in the form of John Batman on the shores of the Yarra and the facade, the charade, the farrago, that was that so-called negotiation between John Pascoe Fawkner and John Batman and the Wurundjeri people of Melbourne at that time. I want to talk a little bit about that intersection of history, and in doing so I acknowledge the Wurundjeri Woiwurrung people, who are the traditional owners of my community in Greenvale, and pay respects to their elders past and present.

Greenvale is lucky to be characterised by a number of very important sites that bear out the enduring connection of Indigenous culture in Greenvale and that enduring link, that continuous culture, that stretches back for many millennia, as we know. I was recently at the inauguration of the Hume stolen generations marker on the beautiful banks of a creek just outside of my electorate in the member for Kalkallo's electorate. This marker is a giant iron cloak that is redolent of a traditional possum skin cloak worn by Wurundjeri people in Victoria, and the memorial pays tribute to the survivors of the stolen generations. At that inauguration it was incredibly moving to hear the firsthand accounts of those who had been removed from their families and who spoke incredibly powerfully, bravely and movingly about the trauma that had been visited upon them and their families.

Other sites of significance within the Greenvale electorate that I think are relevant to this bill because of the message that they convey about that enduring connection of Indigenous people include the Weeroona Aboriginal Cemetery. While it was only founded within the last three decades or so, Weeroona is one of the earliest cemeteries of its kind. It is governed and led by Aboriginal people and a burial place for Aboriginal Victorians. It is also a place for the remains of Aboriginal people who were stolen from this country and sent to – I use the term loosely – museums and other places of supposed learning and education around the world, where they were exhibited as some kind of object of mystification. Look, I cannot fathom quite the thought process that leads people to take skeletons and send them to museums around the world, but what is important is that those remains have been repatriated and treated with the decency that they have always deserved by being interred at the Weeroona Aboriginal Cemetery.

As the member for Eltham touched on earlier as well, it was only a very short space of time between the so-called founding of Melbourne and the establishment of this place. Woodlands Historic Park and

the Woodlands homestead in my electorate of Greenvale was one of the first homes built in that part of Melbourne. It was well beyond Melbourne at that stage, and the firsthand accounts of the residents of that building through their diaries and through other records paint an extraordinarily vivid picture of traditional ways of life as they were – of Aboriginal communities living in and around the Woodlands homestead and using the Moonee Ponds Creek corridor for food and for their livelihood. Within an instant, in the relative scheme of things, that lifestyle and those lives were snuffed out.

Members interjecting.

The DEPUTY SPEAKER: Order! The level of conversation is too high.

Iwan WALTERS: Thanks, Deputy Speaker. It is a contribution worth listening to.

I arrived in Australia just before December 1992. I thank the member for Pascoe Vale for giving us an exposition of Paul Keating's Redfern address, which I think ranks alongside his tribute to the unknown soldier at the Australian War Memorial in Canberra – two landmark, iconic addresses that summarise so much about our nation's history. I was too young at the time to fully appreciate the words that he delivered in 1992, but I often read and reflect upon them. He talked about the fact that it was 'us': 'we' who did the dispossessing, 'we' who brought the grog, 'we' who had the failure of imagination to recognise what it would have been like to have been those stolen families and 'we' who lacked that imagination.

The Prime Minister who succeeded Paul Keating in March 1996 was of course John Howard, who retained that steadfast refusal to apologise, I think because of a fundamentally misguided notion that those in the present cannot absorb or take responsibility for the legacy of the past. As I alluded to, I arrived in Australia with my family not having been part of this country. As I say when I am privileged to be at citizenship ceremonies, those who arrive in Australia bring with them their cultures and their traditions and in doing so they enrich our country and our lives with their stories and their legacy, but in also becoming Australians they assume and they join in our national story, for good and for ill.

We cannot sit here in this building, which is an important indication of our liberal democracy and the traditions that we have brought with us through that period of settlement from the United Kingdom and from Europe, without fully recognising and acknowledging the broader span of history. It is not a black armband view of the world to acknowledge that wrongs were done, that they had a cost and that they inflicted a trauma. That is not some kind of conspiratorial black armband view, that is just the truth. I am glad that there is a greater uniformity of spirit in this house today with regard to this bill than there was regarding the apology through the 1990s and 2000s until Kevin Rudd on that first day of Parliament in 2008 delivered such a momentous and inspiring address.

In concluding my remarks today, I want to reflect on one of the reasons that took me into teaching a long time ago. I was incredibly moved and impacted by the searing accounts of educational disadvantage in Indigenous communities. Educators like Chris Sarra and Noel Pearson and others have spoken incredibly powerfully about the impact that the legacy of the trauma that we apologised for in 2008 and other factors have had upon those communities. I sought to be a teacher to confront that disadvantage. What this government is doing today is another step in confronting that disadvantage and taking responsibility and empowering Victoria's Aboriginal communities to make decisions about the people who they know best and to ensure that that cataclysmic bad rate of Aboriginal children in out-of-home care is reduced and that we can genuinely achieve reconciliation and progress.

Meng Heang TAK (Clarinda) (16:58): I am honoured to join the debate on this bill, the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023, and listen to all the speakers, like the previous speaker the member for Greenvale, who spoke passionately about this bill, and I would like to add my voice. The bill will provide significant reform opportunities to achieve self-determination and self-management for Aboriginal people and to strengthen provisions that uphold the importance of cultures for the safety of

Aboriginal children. The bill certainly enforces the Victorian government's commitment to Aboriginal self-determination in health and the child protection systems and acknowledges the importance of culturally safe and appropriately resourced services to meet the health and wellbeing needs of Aboriginal people in Victoria. I would also like to join with the member for Greenvale, other members and the speakers before me in acknowledging the past and certainly to reinforce the important step of our plan to meet the Closing the Gap national agreement target to reduce the rate of over-representation of Aboriginal children in care by 45 per cent by 2033. In doing so I certainly would like to add my voice to this very important bill, and I wholeheartedly commend the bill to the house.

The SPEAKER: The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

Motion agreed to.

Read second time.

Third reading

The SPEAKER: The question is:

That the government amendments (1) and (2) be agreed to, and the bill be now read a third time.

Question agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Heritage Amendment Bill 2023

Second reading

Debate resumed on motion of Sonya Kilkenny:

That this bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Rulings from the Chair

Questions to the Speaker

The SPEAKER (17:01): Earlier today the Leader of the Opposition prior to question time raised a point of order, asking me a question. I took the point of order on notice. In keeping with prior rulings of this place, questions dealing with matters within the jurisdiction of the Speaker should be addressed to the Speaker in chambers or by letter. I therefore rule the point of order out of order.

Business interrupted under sessional orders.

Adjournment

The SPEAKER: The question is:

That the house now adjourns.

Mildura electorate camp sites

Jade BENHAM (Mildura) (17:01): (91) My adjournment matter is for the Minister for Environment, and the action I seek is for Parks Victoria to assess damage and reopen key camping spots and boat ramps along the Murray River between Colignan and downstream to the South Australian border as a matter of urgency. My office this week has been inundated – pardon the pun – by concerned residents about Parks Victoria closing parks and reserves along the Murray River between Colignan and the SA border. This is because of flooding impacts, and more than a dozen popular camping spots are being, or have been, closed along our beautiful river. Signs have gone up advising of several risks to visitors, including but not limited to that the ground is soft and therefore large trees are a fall risk, that facilities have been damaged and they need to be made safe and that roads and trails continue to be wet of course and have potholes, sinkholes and are quite rough.

While obviously the safety of campers and river users is first and foremost, it concerns me that this will likely impact one of our region's busiest times of year. As we all know, we are emerging from COVID and our businesses and towns, like every other, are still attempting to recover. Riverside businesses are still closed. Easter is huge in Mildura. Thousands of people flock to our region for our brilliant weather, the array of motorsports and the opportunity to camp with family and friends in some of the best places along the Murray.

We have been advised some park reserves have been so badly impacted they may stay closed for weeks, months or even years. Of further concern is access to boat ramps, which is now cut off. This will have enormous economic impact for our region over the Easter period and indeed this coming long weekend. It is likely some campers' favourite spots will be closed if they have not been already, without even being able to launch a boat to throw in a fishing line. One of our district's biggest enthusiasts of fishing and yabbing is infuriated that her access to the river has been cut and said after spending the last two weeks accessing these points at the Echo Point and Karadoc areas that there seem to be no apparent issues except for the road being a bit rough. My residents are expressing concern and frustration these closures will be for an excessive period of time. They seek reassurance this will not be the case and their favourite camping or fishing spots will be open as soon as possible and as safely as possible. The economic and social impact of closures will be enormous for our region without urgent action.

The action I seek is for Parks Victoria to assess the damage and carry out necessary works to reopen these key reserves along the Murray River from Colignan to the South Australian border. Obviously the assessment of hazards and work is critical for river users' safety, and this is paramount of course, but we ask that the matter be dealt with as urgently as possible to enable family trips along the Murray River over Easter.

Footscray electorate roads

Katie HALL (Footscray) (17:04): (92) My adjournment matter is for the Minister for Roads and Road Safety. The action I seek is for the minister to provide an update on matters raised during the meeting in my constituency with local organisations the Footscray Community Truck Action Group and the Maribyrnong Truck Action Group and representatives of the Department of Transport and Planning, the Westgate Tunnel Authority and the National Heavy Vehicle Regulator. As the minister is aware as a fellow inner-west resident, managing truck movements from the port is a complex issue. It was noted at the meeting that when the West Gate Tunnel is opened, Moore Street will have a 24-hour truck ban, with the only exemption being deliveries such as those from the supermarket, as an example. In the interim we are providing safety improvements at the intersection of Hopkins and Moore streets with a \$3 million upgrade, with work starting shortly.

At the meeting of 1 March we discussed many relevant local issues. I would like to say that the meeting was a positive one with positive outcomes. Those in attendance appreciated the open dialogue and the opportunity to discuss the community's concerns. All this was possible because of the engagement of

the minister, and I would like to thank her for her attendance at the recent meeting. We look forward to receiving updates on the progress of these important issues.

Maroondah BMX Club

David HODGETT (Croydon) (17:06): (93) My adjournment is for the Minister for Community Sport, and the action I seek is for the minister to meet with the Maroondah BMX Club representatives to discuss the need for funding of important and necessary upgrades to their facilities at Colchester Road, Kilsyth. The Maroondah BMX Club, home of the Eastfield Eagles, is a terrific sporting club within my electorate. The club has 55 members across all ages, with 60 per cent of the members being 12 and under, plus it has a strong female membership. Each week approximately 100 people visit the BMX track, with the club offering gate practice, coaching and club meets. The club has even produced a Commonwealth Games participant and an Olympian. The Eastfield Eagles have been at the current track location since 1991. The track is in desperate need of an upgrade. The current starting gate is old, clunky and extremely noisy, and the clubrooms are small and outdated.

While many sports, such as cricket, netball, football et cetera receive plenty of funding and upgraded facilities, often BMX as a sport is overlooked and misses out. So again, I ask the Minister for Community Sport to meet with the Maroondah BMX Club representatives to discuss the need for funding of important and necessary upgrades of their facilities at Colchester Road, Kilsyth, to ensure the ongoing success and growth of the club.

Pinewood Early Years Hub

Matt FREGON (Ashwood) (17:07): (94) My adjournment matter this evening is for the Minister for Early Childhood and Pre-Prep, and the action I seek is that the minister join with me down in the Ashwood district to officially open the newly completed Pinewood Early Years Hub. We partnered with Monash City Council, who applied for one of the Building Blocks grants, and the Andrews government allocated \$2 million in round 1 of 2021–22 to build a new integrated children's centre and a multifaceted centre including community service, a maternal and child health nurse and a kindergarten. I know this kindergarten very well because I drive past it nearly every day on the way to Coles and it is where my three little kids went. It is such a transformation. The new centre looks fantastic, and I cannot wait to get in there and have a look. I did get a message from Debbie Brereton, and I give a shout-out to Debbie and the whole team down there. She sent me a little message today saying, out of the blue, 'I hope you're well, and I don't know if you've seen our new preschool. It's amazing and our families love it,' – so I am sold already – 'and we're up and running and would love you to come down and see it.' Well, not only will I definitely go down to see it but I would love the minister to come down with me, because it is such a good improvement and it is fantastic to be a local member and see our area thriving. The member for Glen Waverley is over there, and a shout-out to him because a lot of the catchment area for the Pinewood Early Years Hub goes over Blackburn Road, and I know his constituents will be very happy as well. I cannot wait for the minister to come down.

Maternal and child health services

Brad BATTIN (Berwick) (17:09): (95) My adjournment tonight is for the Minister for Health, and it is in relation to the maternal healthcare network, particularly down in Berwick. The action I seek is for the Minister for Health to come out and meet with some of the parents who are struggling to get appointments in relation to their maternal and child health care. I met up with some mums recently. We met down in Clyde North, talking about some of the issues with access and getting appointments in the maternal and child healthcare network after they have a child and some of the challenges that they are facing, which include getting appointments. Some of them have even complained about not being informed correctly of how to go about meeting up with, getting in contact with or getting a call from maternal health once they do have a child. Obviously, with the parents of a firstborn versus parents of second, third and fourth children there is a difference in expectations in your mind about what you can deal with and how you can handle that, but a first-time mother may face some challenges in knowing who they can reach out to.

Some of the things that were raised down there were concerns about getting referrals to GPs and being told that the only way to actually get any assistance at all would be to go to a GP. There is a lack of availability for appointments, particularly through Casey. We know Casey is a fast-growing corridor, but a lot of the parents down there are concerned about getting that access into those appointments down there at the time or having those appointments cancelled as close as an hour or two before the appointment is to occur; the mothers would be on their way, may have changed plans for the day and would be having their appointment cancelled. Some of them have not been able to get the one-year-old appointment, which has been a big concern for them. And a couple of mothers have raised issues particularly where a young child has actually got developmental issues that they were not aware of that would have been picked up in the maternal and health appointment, but because they could not get to the appointment, they did not do that.

Some mothers now have been told by Casey that they do not have to have it in Casey and can go to other jurisdictions for it, so they are now actually travelling down to places like Somerville or going across to Cardinia. As we would understand, that is also going to put pressure on other areas with the number of mothers coming through Casey at the moment. They have got some other concerns now. One mother who approached us said she cannot get an offer for an eight-week appointment; they cannot even get in for that eight-week contact, and we all know how important it is. Another concern they have raised is that by missing these appointments they are not getting informed about kinder dates. We know with the changes in kinder and the changes of dates and time lines in kinder this is causing a lot of issues for them down there. They have got consistency issues around childcare fees as well.

Another very important topic – the Minister for Health I am sure will address this – is in relation to domestic violence. If you go into a maternal health appointment, it is an opportunity to speak freely, generally without someone who could be a perpetrator of domestic violence, and they could pick up on extra issues. So I do ask the minister – and I would be more than happy to assist – to come down and meet these parents, not in a political way but to see if we can fix some of these problems for the parents in the area.

Power saving bonus

Paul HAMER (Box Hill) (17:12): (96) My adjournment matter is for the Minister for Energy and Resources. The action I seek is for the minister to visit Koonung Cottage Community House in Blackburn North in my electorate to see firsthand the wonderful work that they do to help local residents apply for the Andrews government's power saving bonus. The power saving bonus is an incredibly important support measure. It has been well received by the residents of Box Hill and indeed statewide, with 1.7 million applications submitted for the existing round. At a time when cost-of-living pressures are biting and the prices of basics such as groceries, fuel and utilities are rising, this \$250 relief payment could not come at a better time. Over the last year my office has helped hundreds of residents to apply online for the power saving bonus, and our efforts have been supported by a wonderful network of local neighbourhood houses.

I welcome news that a further round of the \$250 power saving bonus will commence from 24 March, and once again we will see huge demand for it locally. I understand that neighbourhood houses will be official community outreach partners for the next round of the power saving bonus, along with the Brotherhood of St Laurence, the Ethnic Communities Council of Victoria and Good Shepherd. Almost 50,000 applications for the power saving bonus from the current round have come from community outreach partners such as neighbourhood houses. I would like to thank all of our local neighbourhood houses once again for the work they do every day to support and advance the wellbeing of our community.

LGBTIQ+ equality

Gabrielle DE VIETRI (Richmond) (17:13): (97) My adjournment is for the Minister for Equality. The action I seek is that the minister urgently write to the Minister for Women and Equalities in the United Kingdom, the Rt Hon Kemi Badenoch, asking her not to exclude Victoria from the list of

jurisdictions whose gender recognition certificates are recognised in the United Kingdom. Earlier this year the UK minister announced that her government would review the list of approved overseas countries and territories whose gender recognition certificates are recognised in the United Kingdom, stating that it should not be possible for people to obtain legal gender recognition in the UK from jurisdictions whose processes are not as rigorous. Concerningly, they blocked the Scottish gender recognition reform bill from obtaining royal assent, which sought to give people the right to self-identification of their gender without also being required to undergo medical intervention.

The Victorian Births, Deaths and Marriages Registration Amendment Act 2019 was, as we know, passed democratically by nearly a two-thirds majority of the Legislative Council, removing the requirement for Victorians to undergo medical intervention in order to have their gender legally recognised. This legislation gave Victorians the right to self-identification of gender and was widely celebrated across the state as a crucial step for trans rights. LGBTIQ+ advocates believe that there is a risk that the UK's minister will exclude Victoria from the list of jurisdictions whose gender recognition certificates are recognised in the United Kingdom on the basis that the Victorian law, like the Scottish bill, does not require medical treatment for gender recognition, unlike the UK's Gender Recognition Act 2004.

I urge the minister to reject any insinuation from the UK that Victoria's system for gender recognition is not rigorous. The Births, Deaths and Marriages Registration Act 1996 requires that a person seeking to alter their record of sex lodge an application, including a statutory declaration and a supporting statement attesting that the application is made in good faith. Excluding Victoria from the list of jurisdictions whose gender recognition certificates are recognised in the UK could mean that trans and gender-diverse Victorians will no longer have their gender recognised in the UK. This could in effect create a trans travel ban for Victorians seeking to travel, live and work in the UK. I ask that the minister make representations to the Minister for Women and Equalities in order to both respect trans Victorians and respect the democratic process and decision of the Victorian Parliament.

Monbulk electorate public transport

Daniela DE MARTINO (Monbulk) (17:16): (98) My adjournment matter this evening is for the Minister for Public Transport. An increasing number of constituents are contacting me regarding public transport options in the hills, in particular regarding our bus network. To date the Andrews Labor government has shown a continued commitment to improving our public transport network, and I am proud to be part of a government that prioritises investment in this vital service. We are doing it to get Victorians home to their families safer and sooner wherever they live, including in the Dandenong Ranges. Belgrave station is looking fantastic, by the way, at the moment, and I look forward to the minister's visit soon. Bus services are an essential part of our public transport network, especially in my electorate. The action I seek from the minister is that he ask the Department of Transport and Planning to investigate what options might be available to improve services across the hills. I invite the minister, when he comes to visit Belgrave station, our main bus interchange, to examine with me those bus services and how future bus network planning could greatly improve connectedness across the electorate of Monbulk. I look forward to the minister's response and reporting the findings back to my constituents.

Kew electorate schools

Jess WILSON (Kew) (17:17): (99) My adjournment tonight is for the Minister for Education, and the action I am seeking is that funding is provided to schools in the Kew electorate in this year's budget to ensure local schools have first-class teaching and learning facilities for continued outstanding education in our community. The electorate of Kew is home to more than 30 schools and education is at the very core of our community, but our local state schools require their fair share of capital funding to be able to provide the education that our community deserves and expects. Over the course of the past year I have worked closely with many schools, principals, school councils and parents alike across my electorate to understand their needs. Prior to the election we on this side of the house made

commitments to funding critical upgrades at a number of local schools. It has been 80 years since Kew East Primary School has received any significant state funding for capital works, and the school desperately needs an urgent upgrade. I ask that the government commit to \$6.5 million to replace the outdated buildings and build eight new permanent classrooms, a staffroom and an office area. Kew East principal Helen Fotheringham is a powerful advocate for this wonderful primary school, and I thank her for her ongoing engagement on this issue.

In a similar vein Canterbury Girls Secondary College has had no substantive investment in its facilities in decades and is seeking urgent upgrades. In 2021 a wall at the school collapsed, sending bricks and glass crashing to the floor. Luckily, no-one was hurt, as students were in class at the time, but the school had more than 100 staff and 1000 students on site. This is simply unacceptable. We committed to investing in Canterbury Girls: \$12.2 million to prepare and deliver a new master plan for its campus. The school facilities are dated and impractical, with spaces such as the science and art classrooms no longer supporting the needs of both students and teachers. As a leader in female education and one of Victoria's few government girls schools, Canterbury Girls college deserves the appropriate funding to support its students and teachers, and I call on the Andrews government to step up and provide this much-needed funding.

Balwyn Primary School is a thriving local primary school with consistently strong NAPLAN results. However, enrolments have nearly doubled since 2011, and facilities have not been upgraded to reflect the significantly increased numbers. I call on the government to commit \$6.1 million for the development of a school master plan and stage 1 upgrades, including new classrooms, much-needed toilet facilities, staff facilities and sick bay facilities. After working with school representatives and parents, I know that this investment is desperately needed for Balwyn Primary School if we are to ensure that students have the very best start.

Finally, I call on the government to ensure that the surplus funds from the building of the recent STEM centre at Kew High School are reinvested in upgrading teaching and learning spaces and not repurposed for maintenance works. I call on the government to commit to funding the next phase of the Victorian School Building Authority developed master plan at Chatham Primary School, which involves phase 2 and 3 works and includes the completion of refurbishing the historic building and the Building the Education Revolution building. I call on the minister to action these important funding commitments and ensure there is adequate funding for all schools in the electorate of Kew.

Reservoir East Family Centre

Nathan LAMBERT (Preston) (17:20): (100) My adjournment matter is for the Minister for Early Childhood and Pre-Prep, and in a similar fashion to the member for Ashwood I rise to request that the minister visit the Reservoir East Family Centre, which has just begun offering high-quality kindergarten programs in the Boldrewood and Broadway neighbourhoods of Reservoir East. They are fantastic neighbourhoods. They have an above-average number of preschool children in them. I am actually often up that way myself to go to the fantastic Reservoir Leisure Centre just nearby. But those young children who are in the area will now have the chance to head along to a wonderful new kindergarten supported by this Labor government and by Darebin Council. I am very pleased that my first non-inaugural contribution to this Parliament will be on this very important topic of early childhood education, and I would like to shout out to Ann Smith, an early childhood educator who shaped my views on this topic.

As we know, the Victorian government began offering free universal primary school education in 1872, and now, just 151 years later, this Labor government is applying the same principles to the early years. In 2020 we began rolling out universal fully funded three-year-old kinder programs, and now in 2023 we have made kinder free for participating sessional kindergartens, either three-year-old or four-year old. If your child attends a kinder program in a participating long day care setting, we are also providing that \$2000 offset to your fees.

Of course over the next decade this government support will continue to expand so that by 2032 every Victorian four-year-old will have access to a free universal 30-hour pre-prep program. Obviously, this initiative will be good for children's development and also good for parents. It is estimated that the ability to access free kinder will allow 28,000 Victorians to return to work, including 26,000 women. We heard yesterday about the importance of women's economic participation, but it is something that is important to this government every day. The initiative will also help on the expenditure side of family budgets, saving families up to \$2500 a year.

A member: That's action on cost of living.

Nathan LAMBERT: It is indeed. Finally, a particular advantage of this new centre is its co-location with Reservoir East Primary School, a wonderful and innovative school led by principal James Cumming.

In extending an invitation to the minister I acknowledge her leadership in spearheading the government's early childhood reforms. Coming down for a visit means she will get a chance to meet the amazing educators who are making it all possible and maybe even grab some fish and chips from the renowned Yarra Avenue fish and chip shop. I thank the minister for considering this request.

Responses

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (17:23): The member for Mildura, who I note has left the house, asked for a matter to be referred to the Minister for Environment in relation to the reopening of camping spots along the Murray River. The member for Footscray raised a matter for the Minister for Roads and Road Safety, and that was for an update on matters that were raised with members of the Maribyrnong and Footscray truck action groups. The member for Croydon raised a matter for the attention of the Minister for Community Sport in relation to the Maroondah BMX track, and he asked that the minister meet with the Maroondah BMX Club. The member for Ashwood raised a matter for the attention of the Minister for Early Childhood and Pre-Prep and in particular asked that the minister come and have a look at all the great things that are happening at the Pinewood Early Years Hub.

Thank you to the member for Berwick, who raised a matter for my attention. I would say to the member for Berwick that our maternal and child health nurses do an extraordinary job, and that is why our government went to the election with a commitment to raising the hours for which parents can access maternal and child health, because we know how vital it is in the support for parents. I understand of course that there have been some challenges in some of our growth corridors being able to access maternal and child health nurses, and the member raised issues specific to a community in Clyde North. I am happy to follow up by checking with the City of Casey and understanding a little bit more about their delivery of that program. I will certainly respond in a more fulsome way to the member, and I thank him for raising the matter.

The member for Box Hill raised a matter for the attention of the Minister for Energy and Resources. He made reference to the fantastic work that she has done in relation to the power saving bonus and how it is delivering cost-of-living relief and enabling families right across his electorate to ensure that they are getting the very best power deal. He has asked that she consider a visit to one of his local neighbourhood houses.

The member for Richmond raised a matter for the attention of the Minister for Equality asking that she write to, I believe, the minister for women in the UK regarding gender recognition certificates that the member for Richmond is concerned may exclude Victorians from having their gender recognised in the UK.

The member for Monbulk raised a matter for the attention of the Minister for Public Transport and made the point that there has been some magnificent work undertaken in her electorate, particularly with regard to the upgrade at the Belgrave station, which is a transport hub. She has invited the minister

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to go and meet her in her electorate and discuss ways in which together they can work to improve the bus network in her electorate.

The member for Kew raised a matter for the attention of the Minister for Education. In particular she has asked that the minister look at funding local schools in her electorate to ensure that they have access to first-class facilities.

Finally, the member for Preston raised a matter for the attention of the Minister for Early Childhood and Pre-Prep. As he noted, similar to the member for Ashwood, he has called on the minister to visit the Reservoir East Family Centre, a fantastic community facility that is part of our government's commitment to ensure that kindergarten is freely available for all three- and four-year-olds – not just for those whose parents can afford it but for all children – ensuring they get the best start in life.

The SPEAKER: The house now stands adjourned.

House adjourned 5:28 pm.